

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parent:

Gerry McMahon, Esq.  
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Danbury, CT 06811

Appearing on behalf of the Board:

Christopher Tracey, Esq.  
Shipman and Goodwin, LLP  
200 Atlantic Street  
Stamford, CT 06901

Appearing before:

Sylvia Ho, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board fail to promptly evaluate and identify the Student as a Student with a disability eligible for Special Education?
2. Did the Board fail to offer an appropriate program for the 2020-2021 school year?
3. If not, was Spire School an appropriate program?
4. If so, should the Board be require Parents for their tuition and education related expenses for their placement of Student at Spire School?
5. Should the Board be required to reimburse Parents for their payment for the neuropsychological evaluation conducted by Stacey Aronson, PhD?

**PROCEDURAL HISTORY/SUMMARY:**

The Parent filed the Due Process Complaint and Request for Hearing on June 14, 2021. The Hearing Officer was appointed on June 16, 2021 and conducted a Prehearing Conference on June 25, 2021. The hearing was scheduled for August 23, 2021. The Parents' request to postpone the hearing and to extend of the mailing date to engage in negotiations was granted. The mailing date of the Final Decision was extended to September 27, 2021. The hearing was rescheduled to September 20, 2021. The September 20, 2021 was cancelled and the hearing was rescheduled to October 21, 2021 and mailing date extended to October 27, 2021 upon the request of Parents and a finding of good cause by the Hearing Officer. On September 30, 2021, the Parents withdrew the Due Process Complaint with prejudice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED** with prejudice.