

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents: Atty. Phillip J. Cohn, Cohn & Associates LLC, 277 Sturges Ridge Road, Wilton, CT 06897

Appearing on behalf of the Fairfield Board of Education: Atty. Michelle C. Laubin, Berchem, Moses & Devlin, P.C., 75 Broad Street, Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Did the Board fail to provide IEP documentation within five days of the Planning and Placement Team ("PPT") on May 15, 2007, in violation of Conn. [State Regs.], Section 10-76d-13?
2. Did the Board fail to provide and follow through on matters agreed on at the May 15 PPT meeting?
3. Did the Board fail to revise the IEP document to reflect Parents' input and concerns?
4. Did the Board offer a free appropriate public education (FAPE) to the Student for the 2007-08 school year as required by 20 U.S.C. Section 1401 et seq. and Conn. Gen. Stats., Section 10-76a?
5. If the Student was not offered a FAPE, is the Board financially responsible for the Student's placement at Eagle Hill School for the 2007-08 school year?

PROCEDURAL HISTORY

The Parents' attorney requested this hearing on July 17 by mailing a letter to the State Department of Education ("SDE"). The Board of Education received a copy of the letter on July 19. The SDE received the letter on July 20. Another Hearing Officer was assigned to the case. She recused herself after holding a prehearing conference on August 13. This Hearing Officer was assigned to the case on August 30. On September 12, a prehearing conference was held. The mailing date for the final decision was set at October 2, 2007. The parties' attorneys advised the Hearing Officer that mediation was

scheduled on September 25 and requested an extension of the mailing date. Hearing dates were agreed on for October 17, 23 and 24. On September 14, the Parents' attorney made a written request to extend the mailing date to November 19, which was granted. On September 26, the SDE advised the Hearing Officer that the parties had reached agreement at the mediation.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed.