

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Fairfield Board of Education v. Student

Appearing on behalf of the Parent: The Parent appeared *pro se*.

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

Appearing before: Attorney Elisabeth Borrino, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. The Board contended that the Student's educational placement should be changed to a private placement in a residential therapeutic setting.

2. The Parent contended that the Board had failed to provide FAPE since the Student was placed on home-bound tutoring. The Board objected to the appropriateness of the Parent raising this claim citing a prior Hearing Officer decision whereby the claim was raised and dismissed with prejudice.

SUMMARY:

The Board filed this request for hearing on June 2, 2008. On June 25, 2008, a Prehearing Conference was held. By way of letter dated July 3, 2008, the Board represented that, at the time of the Prehearing Conference, it was unaware that the Parent had apparently filed a Due Process Claim on May 27, 2008. The Parent's Due Process Claim of May 27, 2008 referenced in the July 3, 2008 letter by the Board's counsel has neither been reviewed by this Hearing Officer nor has any party requested that it be included or consolidated with this Decision. Accordingly, no action is taken thereon.

By way of letter dated July 3, 2008, the Board withdrew its due process hearing request.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.