

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parent:

Phillip Cohn Esq.  
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200 Connecticut Avenue  
Norwalk, CT 06854

Appearing on behalf of the Board:

Peter Maher, Esq.  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before:

Patrick L. Kennedy, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District provide the student with FAPE for the 2015-16 school year (for the portion of the year within the applicable statute of limitations)?
2. Did the District provide the student with FAPE for the 2016-17 school year?
3. Did the District provide the student with FAPE for the 2017-18 school year?
4. If a denial of FAPE is found for the relevant period, was the Hyde School Summer Program an appropriate program for the student?
5. If a denial of FAPE is found for the relevant period, was the Fusion Academy an appropriate program for the student?
6. If a denial of FAPE is found for the relevant period, was the Grove School an appropriate program for the student?
7. Depending on the answers to the foregoing questions, should the parents be provided with reimbursement or prospective payment of tuition for the schools listed above?
8. Depending on the answers to the foregoing questions, should the student be provided compensatory education?

9. Depending on the answers to the foregoing questions, should the parents be provided with reimbursement of the costs for an educational consultant, private psychological evaluation, therapies not covered by insurance, private tutoring services and travel to and from appropriate placements?

**SUMMARY AND PROCEDURAL HISTORY:**

Case 18-0364 was commenced by the Parents by request received by the Board on March 20, 2018. A prehearing conference was held on April 17, 2018. At the prehearing conference, a hearing date was set for June 28, 2018 and the decision date was determined to be June 3, 2018. The hearing was subsequently cancelled and the decision date extended to August 28, 2018.

On August 22, 2018, the undersigned hearing officer was advised by the attorney for the Parents that the parties had reached a settlement in the case and the matter should therefore be dismissed with prejudice.

**FINAL DECISION AND ORDER:**

The matter is dismissed with prejudice.