

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents: Attorney Andrew Feinstein  
Feinstein Education Law Group  
86 Denison Avenue  
Mystic, CT 06355

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

Appearing before: Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the program offered by the Board from September 7, 2015 to the end of the 2015-2016 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Was the program offered by the Board for the 2016-2017 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Is the program offered by the Board for the 2017-2018 school year appropriate and does it provide the Student with FAPE in the LRE? If not;
4. Should the District reimburse the parents for their unilateral placement of the Student at Eagle Hill Southport, for the 2017-2018 school year?
5. Is the Student entitled to compensatory education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Specific Learning Disabilities and is entitled to receive FAPE as defined in the Individuals With Disabilities Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq.

At a planning and placement team (PPT) meeting, the Parents rejected the program provided by the Board for the 2017-2018 school year. The Parents requested reimbursement of the cost of the

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unilateral placement at Eagle Hill Southport. The Board refused the Parents request. The Parents filed for due process.

On September 5, 2017, the Board received notice of the Parents request for due process. The parties agreed to forgo a resolution meeting and mediate the matter. The mediation date was October 23, 2017.

An impartial hearing officer was appointed on September 7, 2017 and a pre-hearing conference was held on September 18, 2017. Hearing date of November 20, 2017 was chosen by the parties.

In an electronic transmission, the Parents' attorney informed the hearing officer that the matter had been resolved in mediation and agreement had been signed by all parties. The Parents' attorney withdrew the matter with prejudice.

The date for mailing the Final Decision and Order is November 17, 2017.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**