

February 20, 2018

Final Decision and Order 18-0233

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents:

Attorney Philip Cohn
Cohn & Paul, PLLC
200 Connecticut Avenue
Norwalk, CT 06854-1964

Appearing on behalf of the Board:

Attorney Michelle Laubin
Berchem Moses PC
75 Broad Street
Milford, CT 06460

Appearing before:

Raymond J. Rigat, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the district offer the student a Free Appropriate Public Education (“FAPE”) for the 2017-2018 school year, and/or extended school year period?
2. If the District failed to provide the student with FAPE during the 2017-2018 school year, and/or extended school year period, does Franklin Academy, where the parents unilaterally placed the student, provide the student with an appropriate program and are the parents entitled to reimbursement by the district for the costs of the tuition and related expenses for the student’s attendance in this program?
3. Are the parents entitled to reimbursement for the cost of therapies, not covered by insurance?
4. Are the parents entitled to reimbursement for the costs of the Psychological Evaluation by Michael S. Cohen, Ph.D.?
5. Are the parents entitled to reimbursement for the costs of transportation by the parents and/or the student to Franklin Academy?
6. Is the student entitled to compensatory education for any denial of FAPE?

PROCEDURAL HISTORY/SUMMARY:

The Parents brought the Due Process Complaint and Hearing Request on December 8, 2017. The Hearing Officer was appointed on December 8, 2017. A Prehearing

Telephone Conference took place on December 22, 2017. On February 16, 2018, the Parents withdrew their Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**