

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing on behalf of the Parents: Attorney Nora Belanger
Law Office of Nora Belanger
10 Wall Street
Norwalk, CT 06850

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

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board has failed to provide an appropriate program for the Student for the 2006-07 school year and the extended school year 2007 as outlined in sections I. a to f of the request for hearing.
2. Whether the Board failed to provide an appropriate program for the Student for the 2007-08 school year and the extended school year 2008 as outlined in sections II. a to f of the request for hearing.
3. Whether the Board failed to propose an appropriate program for the 2008-09 school year as outlined in sections III. a to d of the request for hearing.
4. Whether the Board actions in its failure to propose a program in a timely manner, failure to adequately address the Parents' concerns, failure to allow the Parents to be equal members in the IEP team process and failure to address the Parents' private evaluations constituted procedural violations.
5. Whether the Parents are entitled to reimbursement for private tutoring services, Dr. Kruger's evaluation, outplacement at Eagle Hill Southport for the 2008-09 school year and continued placement at Eagle Hill Southport for the summer 2009.
6. Whether the Student is entitled to compensatory education.

7. Whether the Board shall be permitted to conduct the evaluations planned as part of the triennial evaluation due in May 2009.

SUMMARY:

The Board received this request for hearing on April 17, 2009 and a prehearing conference was convened on May 7, 2009. The Parents' attorney submitted a request for extension of the mailing date of the decision, which was granted, and the hearing date of July 2, 2009 was scheduled. Prior to the first hearing date, the Parents' attorney submitted notification that the parties reached a settlement agreement.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, with prejudice.