

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Student: Attorney Elizabeth Moyse
The Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny Student a Free Appropriate Public Education ("FAPE") under the Individuals with Disabilities Education Act ("IDEA") during that portion of the 2013-2014 school year beginning on April 5, and ending at the end of the academic year?
2. Did the District deny Student a FAPE under the IDEA for the Extended School Year ("ESY") occurring in the summer of 2014?
3. Did the District deny Student a Free Appropriate Public Education ("FAPE") under the Individuals with Disabilities Education Act ("IDEA") for the 2014-2015 school year?
4. Did the District deny Student a FAPE under the IDEA for the ESY occurring in the summer of 2015?
5. Did the District deny Student a Free Appropriate Public Education ("FAPE") under the Individuals with Disabilities Education Act ("IDEA") for the 2015-2016 school year?
6. Was the District's proposed Individualized Education Program ("IEP") for ESY in the summer of 2016 appropriate?
7. Was the District's proposed IEP for the 2016-2017 school year appropriate?
8. If the District's proposed IEP for ESY in 2016 and the 2016-2017 school year was not appropriate, does Chapel Haven School provide an appropriate program and should Student be placed there?
9. Did the District fail to evaluate Student in all areas of suspected disabilities and is the Student entitled to Independent Educational Evaluations in the areas of Reading and Assistive Technology?

PROCEDURAL HISTORY AND SUMMARY:

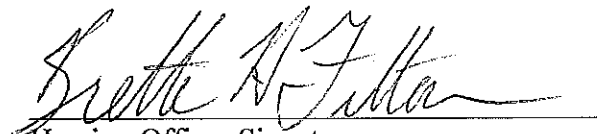
On April 5, 2016, the Board received a request for a special education due process hearing filed by Student. On April 7, 2016, the Connecticut State Department of Education appointed the undersigned Hearing Officer to preside over the case. During the prehearing conference held on April 11, 2016, hearing dates of June 16, 2016, June 27, 2016, July 1, 2016 and July 15, 2016 were set and the deadline for mailing the Final Decision and Order was established as June 17, 2016. On June 3, 2016, after the parties engaged in a successful mediation, Attorney for the Parents withdrew Student's hearing request with prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).


Hearing Officer Signature

Brette H. Fitton
Hearing Officer Name in Print