

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Student: Attorney Gerry McMahon
The Law Office of Gerry McMahon, LLC
98 Mill Plain Road, Suite 3B
Danbury, CT 06811

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") for the January 2015 through June 2015 portion of the 2014-2015 school year because it failed to provide Student with Extended School Day Services?
2. Did the District deny Student a FAPE during the Extended School Year occurring in summer of 2015, by unilaterally determining Student did not require Extended School Day Services?
3. Did the District's Individualized Education Program for the 2015-2016 school year deny Student a FAPE?
4. If the District denied Student a FAPE, should Student be placed at The Guild in Massachusetts or other appropriate residential program?
5. If the District denied Student a FAPE, is the Student entitled to compensatory education in the form of placement at The Guild in Massachusetts or other appropriate residential program?

PROCEDURAL HISTORY AND SUMMARY:

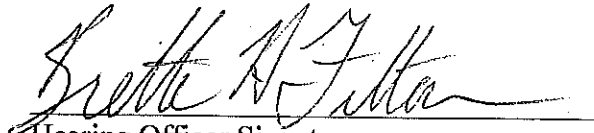
On May 16, 2016, the Board received a request for a special education due process hearing filed by Attorney for the Parents. On May 18, 2016, the Connecticut State Department of Education appointed this Hearing Officer to preside over the hearing. During the prehearing conference held on June 2, 2016, hearing dates of July 11, 2016, July 12, 2016, July 18, 2016, July 19, 2016, July 25, 2016 and July 26, 2016 were set and the deadline for mailing the final decision and order was established as July 29, 2016. On July 1, 2016, the Parents and Board jointly requested a postponement of the July 11, 2016 hearing date in order to reduce a settlement agreement to writing. This request was denied. On July 11, 2016, the hearing was opened and the Attorney for the Student withdrew the hearing request on the record without 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