

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Bridgeport Board of Education and Achievement First Academy

Appearing on behalf of the Student:

Attorney Robin P. Keller  
Law Office of Robin P. Keller, LLC  
50 Washington Street, 7th Floor  
Norwalk, CT 06854

Appearing on behalf of the Bridgeport Board of Education: Attorney Gwen G. Zittoun  
Shipman and Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing on behalf of the Achievement First Academy: Attorney Elizabeth Adams  
82 Wethersfield Avenue  
Hartford, CT 06114

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the Student denied a Free Appropriate Public Education ("FAPE") from November 25, 2011 through the end of the 2011-2012 academic year due to a failure to comply with Child Find requirements under the Individuals with Disabilities Education Act ("IDEA") because Student was not referred to a Planning and Placement Team meeting; and/or a request for referral from Student's guardian was not accepted nor processed?
2. If Student was denied FAPE due to a violation of Child Find requirements under the IDEA from November 25, 2011 through the end of the 2011-2012 academic school year:
  - a. is the Bridgeport Board of Education responsible in whole or in part?
  - b. is the Achievement First Academy responsible in whole or in part?
4. Did the Bridgeport Board of Education commit procedural violations of the IDEA and if so, did such procedural violations result in a denial of FAPE to the Student?
5. Did the Achievement First Academy commit procedural violations of the IDEA and if so, did such procedural violations result in a denial of FAPE to the Student?

**PROCEDURAL HISTORY AND SUMMARY:**

On November 25, 2013, the Bridgeport Board of Education and Achievement First Academy received a request for special education due process hearing. The undersigned hearing officer was appointed on December 2, 2013. On December 17, 2013, a prehearing conference was held

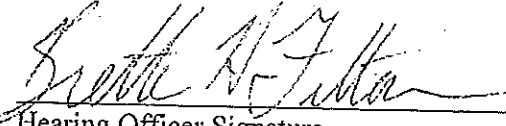
and hearing dates were set. The original deadline for the mailing of the final decision and order was established as February 8, 2014. In order to accommodate a mediation date and the need for additional hearing dates, Attorney for the Student requested an extension of the deadline for the mailing of the final decision and order during the prehearing conference. Attorney for the Bridgeport Board of Education and Attorney for Achievement First consented to this extension request. The extension request was granted and the new deadline for the mailing of the final decision and order is March 10, 2014. On February 10, 2014, Attorney for the Student withdrew the Student's request for a special education due process hearing.

**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