

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Student: Attorney Lawrence Berliner  
Law Office of Lawrence Berliner, LLC  
1720 Post Road East, Suite 214E  
Westport, CT 06880

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

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to fulfil its Child Find obligations under the Individuals with Disabilities Education Act from the period beginning on October 25, 2012 through December 4, 2015?
2. Did the District deny Student a Free Appropriate Public Education ("FAPE") for the 2014-2015 school year?
3. Did the District deny Student a Free Appropriate Public Education ("FAPE") for the 2015-2016 school year?
4. If the District denied Student a FAPE for the 2015-2016 school year, does the Eagle Hill School, where the Parents have unilaterally placed Student, provide an appropriate program for Student, and if so should Parents be reimbursed for the costs of Student's enrollment in same?

**PROCEDURAL HISTORY AND SUMMARY:**


On February 22, 2016, the Board received a Special Education Due Process Hearing Request filed by Student. The Hearing Officer was appointed on February 23, 2016. During the prehearing conference held on March 28, 2016, hearing dates of May 13, 2016 and May 23, 2016 were set and the deadline for mailing the Final Decision and Order was established as May 6, 2016. A mediation was scheduled for May 19, 2016. On April 21, 2016, Attorney for the Parents withdrew the hearing request 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