

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parent: Gerry McMahon, Esq.
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Danbury, CT 06811

Appearing on behalf of the Board: Linda Yoder, Esq.
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford CT 06103

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER (CORRECTED)

ISSUES:

1. Did the Board violate “child find” by not identifying the Student as requiring special education and related services as defined in the Individuals with Disabilities Education Improvement Education Act (IDEA)?
2. Was the unilateral placement of the Student at Eagle Hill School in Southport for the 2015-2016 school year provide the Student with a meaningful education?
3. Should the Board be responsible for the cost of the unilateral placement at Eagle Hill School in Southport for the 2015-2016 school year?
4. Is the program offered by the Board for the 2016-2017 school year appropriate and does it provide the Student a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
5. Does the unilateral placement of the Student at Eagle Hill School in Southport for the 2016-2017 school year provide the Student with a meaningful education?
6. Should the Board be responsible for the cost of the unilateral placement at Eagle Hill School in Southport including extended school year (ESY) for the 2016-2017 school year?
7. Should the Board reimburse the Parents for the cost of the Psychological evaluation by Dr. Cohen-Sandler?
8. Is the student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified as Speech and Language Impaired and is entitled to receive FAPE as defined in IDEA 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq.

At a planning and placement team (PPT) meeting, the Parents disagreed with the program provided by the Board for the 2016-2017 school year. The Parents requested reimbursement for their unilateral placement at Eagle Hill School in Southport. The Board refused the Parents' request and the Parents filed for due process. On August 30, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on August 30, 2016 and a pre-hearing conference was held on September 8, 2016. A hearing date of October 17, 2016 was chosen by the parties. The Parents agreed to waive a resolution meeting in lieu of mediation.

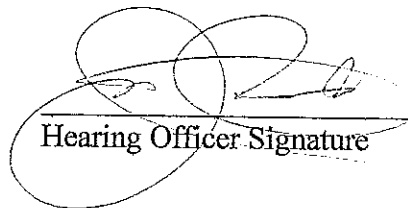
In an electronic transmission, the Parents' attorney advised the hearing officer that the matter had been resolved and withdrew the matter without prejudice. The date for mailing the Final Decision and Order is November 11, 2015.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.

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

Justino Rosado
Hearing Officer Name in Print