

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on behalf of the Parent:

Gerry McMahon, Esq.
Danielle McGee
Law Office of Gerry McMahon, LLC
98 Mill Plain Road
Danbury, CT 06881

Appearing on behalf of the Board:

Rebecca Rudnick Santiago, Esq.
Shipman and Goodwin
100 Constitution Plaza
Hartford, CT 06103

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide Student with an appropriate program for the 2013-2014 school year?
2. If the Board did not provide Student with an appropriate program for the 2013-2014 school year, is Hope Academy an appropriate placement for student?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on March 12, 2014. The Hearing Officer was appointed on, and conducted a Prehearing Conference on March 28, 2014. The hearing was scheduled for May 8, 12 and 15, 2014. On the first day of the hearing, the parties jointly requested a postponement because they were near final written agreement of the issues in dispute. The parties' request was granted and the hearing date of May 12, 2014 was cancelled. The hearing was reconvened on May 15, 2014 and the Parent's attorney reported that the Parent was withdrawing the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with 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

Sylvia Ho
Hearing Officer Name in Print