

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Student: Attorney Gerry McMahon
Attorney Danielle McGee
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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. Was the Board's proposed Individualized Education Program for the 2016-2017 school year appropriate?
2. If not, does the Pinnacle School offer an appropriate program for Student?
3. If the Pinnacle School offers an appropriate program should the Student be placed at the Pinnacle School?

PROCEDURAL HISTORY AND SUMMARY:


On June 22, 2016, the Board received a Special Education Due Process Hearing Request filed by Student and the Connecticut State Department of Education appointed Hearing Officer Bird to preside over the hearing. On July 20, 2016, Hearing Officer Bird recused herself and Hearing Officer Brette Fitton was appointed. Prior to her recusal, Hearing Officer Bird held a prehearing conference on July 19, 2016, during which the deadline for mailing the Final Decision and Order was established as September 2, 2016. On August 2, 2016, Hearing Officer Fitton issued a Notice of Hearing Dates setting August 22, 2016 and August 23, 2016 for the hearing. On August 5, 2016, Attorney for the Parents sent an email to the Hearing Officer in which she indicated the Parents were withdrawing their request for a special education hearing 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