

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on behalf of Student: Attorney Gerry McMahon  
Law Offices of Gerry McMahon, LLC  
98 Mill Plain Road, Suite 3B  
Danbury, CT 06811

Appearing on behalf of Board: Attorney Rebecca Rudnick Santiago  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing Before: Attorney Robert Skelley  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Danbury Board of Education fail its Child Find obligations for the 2010-2011 academic year by failing to identify, evaluate and refer the student to an appropriate program and services?
2. If the Board did fail its Child Find obligations for 2010-2011, did that failure deny the Student a free and appropriate public education ("FAPE") for 2010-2011?
3. Did the Board fail its Child Find obligations for the 2011-2012 academic year by failing to identify, evaluate and refer the student to an appropriate program and services?
4. Did the Board fail to provide the Student FAPE with the program and services provided in the December 2011 Individualized Education Program ("IEP")?
5. Does the Board fail to provide the Student FAPE with the proposed program, placement and services offered in the June 14, 2012 IEP?

**PROCEDURAL HISTORY:**

This matter is before the Hearing Officer pursuant to a Request for Due Process Hearing filed by the Student on July 10, 2012, and received by the Board on the same date. A pre-hearing conference occurred on July 20, 2012. The parties subsequently reached resolution of the issues and the Parents submitted a request to withdraw the complaint with prejudice.

**FINAL DECISION AND ORDER:**

It is therefore ordered that pursuant to the request by the Parents to withdraw their request for due process, and with no other issues in this matter awaiting resolution, this matter is dismissed *with prejudice*.