

June 12, 2014

Final Decision and Order 14-0417

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

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

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

Appearing before: Robert L. Skelley, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Ridgefield Board of Education ("Board") fail to provide the Student with a free and appropriate public education ("FAPE") for the academic years commencing:
 - a. 03/2012 - 06/2012
 - b. 06/2012 - 06/2013
 - c. 06/2013 - 06/2014 (by agreement of the Parties to cover the full 2013-2014 academic year)
2. Did the Board fail to provide the Student a FAPE for the summer extended school years ("ESY") commencing:
 - a. 6/2012
 - b. 6/2013

PROCEDURAL HISTORY:

This matter was filed on March 12, 2014. A prehearing conference hearing was held on March 27, 2014, from which the issues listed above were identified. An initial due process hearing was scheduled on June 3, 2014. Mediation was scheduled for May 6, 2014. On May 28, 2014 the Parties requested a postponement of the June 3, 2014 hearing date to allow the Parties an opportunity to finalize an agreement. The due process hearing was rescheduled to June 12, 2014. The final decision and order date of June 29, 2014 was maintained. On June 9, 2014 Counsel for the Parents, via email, indicated that the agreement had been executed by all Parties and that the complaint was being withdrawn with prejudice.

FINAL DECISION AND ORDER:

On June 9, 2014 this matter was withdrawn with prejudice by the Parents. With no further issues to be decided, this 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

Robert L. Skelley, Esq.

Hearing Officer Name in Print