

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parents: Attorney Gerry McMahon  
The Law Offices of Gerry McMahon, LLC  
98 Mill Plain Road  
Danbury, CT 06830

Appearing on behalf of the Board: Attorney Marsha Moses  
Berchem, Moses, and Devlin, PC  
75 Broad Street  
Milford, CT 06460

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District violate its Child Find obligations by failing to conduct an evaluation and to identify Student as requiring Special Education and related services?
2. Did the Board provide the Student with a Free Appropriate Public Education ("FAPE")? for the 2012-2013 school year?
3. Did the Board provide the Student with a FAPE for the 2013-2014 school year?
4. Does the Board's proposed program for the 2014-2015 provide Student with a FAPE?
5. If the Board's proposed program for the 2014-2015 does not provide Student with a FAPE what is the appropriate program?

**PROCEDURAL HISTORY AND SUMMARY:**

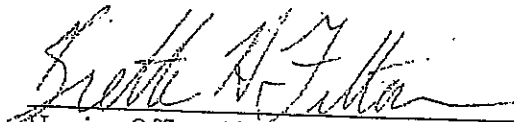
On June 16, 2014, the Ridgefield Board of Education received a Request for a Special Education Due Process Hearing and the undersigned hearing officer was appointed. A prehearing conference was held on July 2, 2014 and the deadline for the mailing of the Final Decision and Order was established as August 30, 2014. A hearing date of September 9, 2014 was set. A request for an extension of the deadline was received on August 15, 2014. After a consideration of all the relevant factors, this request was granted and a new deadline of September 29, 2014 was set. On September 4, 2014, Counsel for the Parents requested a postponement of the September 9, 2014 hearing date on the basis that the parties were reducing an agreement to writing. The hearing date was postponed and a new hearing date was set for September 19, 2014. On September 17, 2014, Counsel for the Parents withdrew the hearing request.

**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