

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Regional District No. 9 Board of Education

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

Appearing before: Attorney Ann F. Bird, Hearing Officer

**FINAL DECISION AND ORDER [Reissued]**

**ISSUES:**

1. Did the Board of Education offer the Student a free appropriate public education for the 2012-2013 and 2013-2014 School Years, including extended school year services?
2. If not, is the Student entitled to compensatory education services?
3. Did the Board of Education offer the Student a free appropriate public education for the 2014-2015 School Year, including extended school year services?
4. If not, is the Student's unilateral placement appropriate?
5. If so, is the Student entitled to reimbursement for the expenses of the unilateral placement?

**PROCEDURAL HISTORY:**

The Student filed this special education due process case on October 1, 2014. This Impartial Hearing Officer was appointed to hear the case on October 7, 2014. A prehearing conference was held on October 16, 2014, and hearings were scheduled for January 7, 2015 and January 9, 2015. On October 16, 2014, the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision for the purpose of allowing the parties time to attempt a resolution of the case.

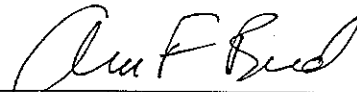
The request was granted and the deadline was extended. On January 7, 2015, the first of two days of scheduled hearings was convened. The parties reported that they had reached a settlement agreement in principal and were very close to finalizing the agreement. The Student requested cancellation of the scheduled hearings. The request was granted, as well as a request for an additional extension of the deadline. The Board consented to these requests and they were granted. On January 23, 2015, the Student reported that the dispute had been resolved, and requested that the case be dismissed with prejudice.

**FINAL DECISION AND ORDER:**

It is ordered that the Student's request for dismissal is granted and 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

ANN F BIRD

Hearing Officer

Name in Print