

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parent:

Gerry McMahon, Esq.
Law Office of Gerry McMahon
98 Mill Street
Danbury, CT 06811

Appearing on behalf of the Board:

Marsha Moses, Esq.
Megan Buxton, Esq.
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Sylvia Ho, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board promptly evaluate Student in all areas of suspected disability?
2. Was the diagnostic placement offered by the Board appropriate?
3. Did the Board offer appropriate programs for the 2013-2014 and 2014-2015 school years?
4. Is Eagle Hill School an appropriate placement for Student?
5. If Eagle Hill School is an appropriate placement, should the Board be required to reimburse parents' payments for tuition and education related services in the 2013-2014 school year?
6. Should the Board be required to financially support the placement at Eagle Hill for the 2014-2015 school year?

PROCEDURAL HISTORY/SUMMARY:


The Parent filed the Due Process Complaint and Request for Hearing on July 1, 2014. The Hearing Officer was appointed on July 8, 2014 and conducted a Prehearing Conference on July 25, 2014. At the Prehearing Conference, the Parties reported that they had agreed to voluntary mediation that was to be scheduled for September and requested an extension of the Mailing Date of the Final Decision. The Hearing Officer granted the Parties' request and extended the Mailing Date of the Final Decision for 30 days from September 12, 2014 to October 10, 2014. The hearing was scheduled for September 29 and 30, 2014. Later, the September 29, 2014 was cancelled due to a conflict in scheduling. On September 15, 2014, the Parent's attorney reported to the Hearing Officer that the Parties had settled their dispute and that the Parent was withdrawing the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The 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

Sylvia Ho

Hearing Officer

Name in Print