

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parent:

Gerry McMahon, Esq.
Law Offices of Gerry McMahon, LLC
98 Mill Plain Road, Ste. 3B
Danbury, CT 06811

Appearing on behalf of the Board:

Marsha B. Moses, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the program offer by the Board for the 2015-2016 school year appropriate and does it provide the Student a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Does the unilateral placement of the Student at Darrow School for the 2015-2016 school year provide the Student with a meaningful education?
3. Should the Board be responsible for the cost of the unilateral placement at Darrow School for the 2015-2016 school year?
4. Is the student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Other Health Impairment-ADHD and is entitled to receive FAPE as defined in IDEA 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents disagreed with the program provided by the Board for the 2015-2016 school year and requested reimbursement for their unilateral placement at Darrow School. The Board refused the Parents' request and the Parents filed for due process.

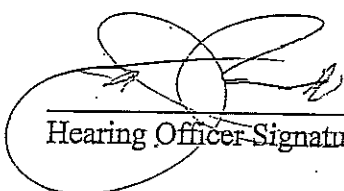
On August 6, 2015, the Board received notice of the Parents' request for due process. The Parents' agreed to waive a resolution meeting in lieu of mediation. An impartial hearing officer was appointed on August 10, 2015 and a pre-hearing conference was held on August 19, 2015. A hearing date of October 30, 2015 was chosen by the parties. In an electronic transmission, the Parents' attorney advised the hearing officer that the matter had been resolved and withdrew the matter with prejudice. The date for mailing the Final Decision and Order is October 20, 2015.

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

Justino Rosado
Hearing Officer Name in Print