

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Region 14 Board of Education

Appearing on behalf of the Student: Attorney Gerry McMahon
Attorney Lauren Peterson
The Law Office of Gerry McMahon LLC
98 Mill Plain Road, Ste 3B
Danbury, CT 06811

Appearing on behalf of the Board of Education: Attorney Michael P. McKeon
Pullman & Comley LLC
90 State House Square
Hartford, Ct 06103

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education offer the Student a Free Appropriate Public Education for the 2014/2015 (from September 9, 2014), 2015/2016 and 2016/2017 School Years?
 - a. If not, is Maplebrook appropriate for the 2015/2016 and 2016/2017 School Years?
 - b. If it is, should the Student be reimbursed for the expense of Maplebrook and/or placed at Maplebrook?
2. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2014/2015 (from September 9, 2014), 2015/2016 and 2016/2017 School Years, is the Student entitled to compensatory education services?
3. Is the Student entitled to reimbursement for the Southfield Center evaluation?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on September 9, 2016. This Impartial Hearing Officer was appointed to hear the case on September 13, 2016. A telephonic pre-hearing conference was convened on October 24, 2016. Attorneys Gerry McMahon and Lauren Peterson appeared on behalf of the Student and Attorney Michael McKeon appeared on behalf of the Board of Education. It was determined that the deadline for filing the final decision and order was November 23, 2016. An evidentiary hearing was scheduled for December 9, 2016.

On October 24, 2016, 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 in this case to December 23, 2016. The purpose of the requested postponement and extension was to

accommodate the hearing date. The Board of Education consented to the request and it was granted.

On December 9, 2016, the evidentiary hearing was convened. At that time, the parties reported that they had reached an agreement for resolution of the case in principal and requested that the hearing be cancelled. The Student also requested a two week extension of the deadline for filing the final decision to allow the parties time to finalize their settlement. The Board consented to the requests. The evidentiary hearing was adjourned.

On December 29, 2016, the Board of Education reported that, due to family issues, documentation of the settlement had been delayed. As a result, the Board of Education requested a two week extension of the deadline for filing the final decision to allow the parties time to finalize their agreement. The Student did not object to the request and it was granted.

On January 17, 2017 the Board of Education reported that, due to family issues, documentation of the settlement had been further delayed. As a result, the Board of Education requested another two week extension of the deadline for filing the final decision to allow the parties time to finalize their agreement. The Student did not object to the request and it was granted.

On January 31, 2017 the Board of Education reported that, due to counsel's health crisis, documentation of the settlement had been further delayed. As a result, the Board of Education requested another two week extension of the deadline for filing the final decision to allow the parties time to finalize their agreement. The Student did not object to the request and it was granted.

On February 15, 2017 the Student requested another one week extension of the deadline for filing the final decision to allow the parties time to finalize their agreement. The Board of Education consented to the request and it was granted.

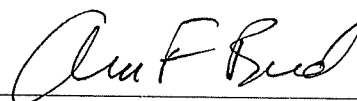
On February 23, 2017, 2017, the Student requested that the matter be withdrawn or dismissed with prejudice.

FINAL DECISION AND ORDER:

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

ANN F BIRD

Hearing Officer Name in Print