

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Student:

Attorney Gerry McMahon
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Appearing on behalf of the Board:

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Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

Whether the Board denied Student a Free and Appropriate Public Education (“FAPE”) for the 2018-2019 School Year (12th Grade), including ESY, by failing to offer and provide an individualized education plan, program or placement that meets their needs, in violation of 20 U.S.C. § 1414 et seq. and R.C.S.A. § 10-76d et seq.

Whether the Board failed to offer Student a FAPE for the 2019-2020 School Year (Second 12th Grade Year), including ESY, by failing to offer an individualized education plan, program or placement that meets Student's needs, in violation of 20 U.S.C. § 1414 et seq. and R.C.S.A. § 10-76d et seq.

PROCEDURAL BACKGROUND:

The Parent filed this Request for a Due Process Hearing on May 22, 2020. The Hearing Officer was assigned on May 26, 2020. A Prehearing Conference was scheduled and held on May 29, 2020. At the conference, hearing dates were assigned and the issues were reviewed. A hearing was scheduled for July 17, 2020 with a mailing date for the final decision scheduled on August 7, 2020. A Request for Extension was granted and the hearing rescheduled to August 17, 2020 with the final decision due date extended to September 17, 2020. Another brief extension of the hearing date was requested to finalize settlement and this was granted to September 8, 2020, with the final decision date extended to September 24, 2020. These dates were within the extended parameters allowed by the Covid-19 State Orders regarding administrative hearing scheduling. Thereafter on August 31, 2020 it was reported that the matter was settled and counsel for the student intended to immediately withdraw the request for due

process. Written notice of withdrawal without prejudice dated August 31, 2020 was received, therefore the matter is dismissed without prejudice.

FINAL DECISION AND ORDER:

The case is DISMISSED without prejudice.