

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parent: Attorney Andrew Feinstein
Attorney at Law, LLC
86 Denison Ave.
Mystic, CT 06355

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

Appearing before: Robert L. Skelley, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Ridgefield Board of Education (“Board”) fail to provide the Student with a free and appropriate public education (“FAPE”) by failing to provide an appropriate Extended School Year (“ESY”) program for the summer of 2013?
2. Did the Board fail to provide the Student with a FAPE for the academic years 2013-2014 by failing to provide an appropriate Individualized Education Program (“IEP”) for the Student?
3. If the answer to either Issues No. 1 or No. 2 is YES, does the Frederick L. Chamberlain School in Middleboro, MA offer an appropriate program for the Student?
4. If the answer to Issue No. 3 is YES, are the Parents entitled to be reimbursed for the costs of their unilateral placement of the Student at Frederick L. Chamberlain School?

PROCEDURAL HISTORY:

This matter was filed on February 21, 2014. A prehearing conference was held on March 12, 2014 from which the issues identified above were agreed upon. At the prehearing conference, by verbal and written motion, the Parents requested an extension of the resolution period to allow for mediation to occur. Mediation was scheduled for April 30, 2014. The motion was granted and an initial due process hearing date of May 29, 2014 was set. The final decision and order date was extended to June 20, 2014. On May 21, 2014 the Parties requested a postponement of the due process hearing date as the Parties had reached agreement and were in the process of memorializing the agreement in writing. The request was granted and the due process hearing date was changed to June 12, 2014. The final decision and order date remained the same. On June 5, 2014, the Parents withdrew their complaint in writing, with prejudice.

FINAL DECISION AND ORDER:

On June 5, 2014 this matter was withdrawn with prejudice by the Parents. With no further issues to be decided, 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

Robert L. Skelley, Esq.

Hearing Officer

Name in Print