

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parent: Attorney Gerry McMahon  
The Law Offices of Gerry McMahon, LLC  
98 Mill Plain Road, Suite 3B  
Danbury, CT 06811

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") for the summer extended school year ("ESY") commencing July 1, 2014?
2. Did the Board fail to provide the Student with a FAPE for the 2014-2015 academic years?

**PROCEDURAL HISTORY:**

This matter was filed by the Parents on October 23, 2014. A prehearing conference was held on November 24, 2014, from which the above issues were identified. An initial due process hearing date was set for January 15, 2015. The Parents requested, and were granted, a postponement of the hearing date of January 5, 2015. The due process hearing was set for January 20, 2015. On January 20, 2015, at the start of the due process hearing, the Parties indicated that settlement was almost complete and requested a short period of time to put the agreement into writing. The hearing was suspended to allow the Parties to memorialize the agreement. Once the agreement was in written form and signed by the Parties, the due process hearing commenced and the Parents put on the record that agreement had been reached and that the Parents wished to withdraw the request for a due process hearing with prejudice. The Board agreed with the assertion that agreement had been reached and had no objection to the withdrawal of the complaint with prejudice.

**FINAL DECISION AND ORDER:**

With the withdrawal of the complaint by the Parents on January 20, 2015 at the due process hearing, and 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