

October 25, 2018

Final Decision and Order 19-0101

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parent: Attorney Gerry McMahon
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Danbury, CT 06811

Appearing on behalf of the Board: Attorney Christopher Tracey
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Appearing before: Raymond J. Rigat, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District violate its obligations under Child Find, pursuant to 20 U.S.C. §1412(a)(3); 34 C.F.R. 300.111 when it failed to promptly and comprehensively evaluate and identify Student as a student in need of special education at any time prior to the 2016-2017 school year?
2. As a result of not finding that the Student was eligible for special education and related services, did the District deny Student a free appropriate public education (“FAPE”)?
3. Did the District violate its obligations under Child Find, pursuant to 20 U.S.C. § 1412(a)(3); 34 C.F.R. 300.111 when it failed to promptly and comprehensively evaluate and identify Student as a student in need of special education during the 2016-2017 school year?
4. As a result of not finding that the Student was eligible for special education and related services, did the District deny Student a free appropriate public education (“FAPE”) during the 2016-2017 school year?
5. Did the District violate its obligations under Child Find, pursuant to 20 U.S.C. § 1412(a)(3); 34 C.F.R. 300.111 when it failed to promptly and comprehensively evaluate and identify Student as a student in need of special education during the 2017-2018 school year?

6. As a result of not finding that the Student was eligible for special education and related services, did the District deny Student a FAPE during the 2017-2018 school year?
7. Did the District deny Student a FAPE pursuant to Section 504 for each of the 2016-2017 and 2017-2018 school years, by not providing Student with an appropriate Section 504 Accommodation Plan designed to allow Student to access her education in a manner equal to that of her typical peers?
8. Is the New Haven Residential Treatment Center an appropriate program for the Student?
9. If yes, should the Board be required to reimburse Parents for their unilateral placement of Student at the New Haven Residential Treatment Center?
10. Should the Board be required to place the Student at the New Haven Residential Treatment Center?
11. Is compensatory education an appropriate remedy?

PROCEDURAL HISTORY/SUMMARY:

The Parent brought the Due Process Complaint and Hearing Request on August 23, 2018. The Hearing Officer was appointed on the same day. A Prehearing Telephone Conference took place on August 31, 2018. Following that conference, an initial hearing was scheduled for October 19, 2018.

The hearing took place on October 19, 2018. The parties placed on the record that they reached a settlement agreement. The Parent withdrew the matter.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**