

October 31, 2018

Final Decision and Order 19-0157

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on behalf of the Student:

Attorney Piper Paul
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Appearing on behalf of the Board:

Attorney Julie Fay
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One Constitution Plaza
Hartford, CT 06103

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Danbury Board of Education (“Board”) fail to provide Student with a Free and Appropriate Public Education (“FAPE”) for the 2017-18 and/or the 2016-17 school year?
2. Did the Board propose an appropriate program that would provide Student with FAPE for the 2018-19 school year?
3. Did the Board's use of SRBI deny FAPE and was it used to circumvent the Child Find mandate?
4. Did the Board fail to provide all records requested by the Student?
5. Was the Student bullied and what was the effect, if any, on his right to a public education?
6. Is Easton Country Day School an appropriate placement for the Student and should he be placed there at Board expense as a remedy for denial of FAPE?
7. Is the Student entitled to compensatory education as a remedy for the denial of FAPE?

PROCEDURAL BACKGROUND:

Counsel for the Student filed this Request for Due Process Hearing on September 18, 2018. The Hearing Officer was assigned on September 20, 2018. A Prehearing Conference was scheduled, and held on September 24, 2018, at which a hearing date was initially set for October 30, 2018 (and additional days of November 7 and 20, 2018), with the date for mailing the final decision and order to be December 3, 2018. Counsel reported that mediation had been scheduled for this matter and requested extensions of time to attempt to reach a settlement. The hearing dates were then rescheduled

and extended by agreement, to commence November 20 and December 14, 2018, with the date for mailing the final decision agreed to be January 14, 2019. On October 30, 2018, Counsel for the Student informed the Hearing Officer in writing that they had reached a settlement of the matter, and the student's claims have been withdrawn.

FINAL DECISION AND ORDER:

The case is DISMISSED without prejudice.