

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

Appearing on behalf of the Parents: Attorney Nora Belanger
Law Office of Attorney Nora Belanger, LLC
161 East Avenue, Suite 104
Norwalk, CT 06851

Appearing on behalf of the Board: Attorney Julie Fay
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Raymond J. Rigat, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board deny the Student FAPE for the 2018-19 school year?
2. Did the Board fail to address bullying of the Student?
3. Did the Board engage in the use of inappropriate restraint and seclusion of the Student?
4. Did the Board deny the Student procedural protections required under the IDEA by refusing the Parents input at the PPT, by refusing the Parents an opportunity to investigate ACCESS prior to making the decision to remove the Student, and by failing to consider the recommendation of experts?
5. Is the Student entitled to ESY 2019 with no gaps in services?
6. Should the Student be placed out of district, and if so, where?
7. If placement at either the Solterra Academy or ACCESS program, as recommended by the Board, does not provide FAPE, should the Board be required to fund placement at Easton Country Day School?
8. Is the Student entitled to compensatory education for time lost during the 2017-18 and 2018-19 school years?

PROCEDURAL HISTORY/SUMMARY:

The Parents brought the initial Due Process Complaint and Hearing Request on February 13, 2019. The Hearing Officer was appointed on the same day. A Prehearing Telephone Conference took place on March 1, 2019.

The initial hearing was scheduled for April 26, 2019.

On April 26, 2019, the Parents' attorney notified the Hearing Officer that the parties had settled the matter and that the Parents were withdrawing their request for a hearing.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**