

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of the Parents: Attorney Jennifer Laviano
76 Route 37 South
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board deny Student a Free Appropriate Public Education (“FAPE”) in the Least Restrictive Environment (“LRE”) for 2012-2013 school year?
2. Did the Board deny Student a FAPE in the LRE for 2013 Extended School Year (“ESY”)?
3. Did the Board deny Student a FAPE in the LRE for 2013-2014 school year?
4. Did the Board violate Student’s procedural safeguards, including but not limited to:
 - a. failing to send the January 8, 2013 Individualized Education Plan (“IEP”) to parents for almost 3 months after the meeting;
 - b. failing to provide an IEP with meaningful and measurable goals and objectives;
 - c. failing to offer an appropriate, individualized ESY program for the 2013 school year;
 - d. failure to have an appropriate IEP in place for the start of the 2012-2013 and 2013-2014 school years; and/or
 - e. failure to maintain a continuum of appropriate alternative placements.
5. If the Board’s program was not appropriate, is The Speech Academy an appropriate placement for the Student?

PROCEDURAL HISTORY AND SUMMARY:

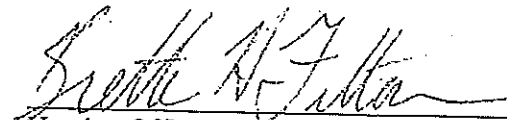
On February 7, 2014, the Ridgefield Board of Education received a Request for a Special Education Due Process Hearing. The undersigned hearing officer was appointed on February 7, 2014. On February 18, 2014, a prehearing conference was held and hearing dates were set for May 6, 2014, May 21, 2014, and May 22, 2014. The original deadline for the mailing of the Final Decision and Order was established as April 23, 2014. During the prehearing conference, an extension of the mailing deadline was requested by Attorney for the Student in order to allow the parties to participate in mediation and to accommodate the hearing date schedule. Attorney for the Board consented to this request. The extension request was granted and a new deadline of May 23, 2014 was established. On March 21, 2014 Counsel for the Parents withdrew the hearing request.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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

Brette H. Fitton
Hearing Officer Name in Print