

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

Appearing on behalf of the Parents: Attorney Phillip Cohn  
Goldman, Gruder & Woods, LLC  
200 Connecticut Avenue  
Norwalk, CT 06854-196

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

Appearing before: Hearing Officer Brette H. Fitton

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to fulfil its Child Find obligations under the Individuals with Disabilities Education Act?
2. Did the District fail to timely recommend and conduct appropriate evaluations in all areas of suspected disability?
3. Did the District fail to provide the Student with a Free Appropriate Public Education ("FAPE") for the 2012-2013 school year?
4. Did the District fail to provide the Student with a FAPE for the 2013 Extended School Year?
5. Did the District fail to provide the Student with a FAPE for the 2013-2014 school year?
6. If the District has failed to provide Student with a FAPE, is a therapeutic residential school the appropriate program for the Student?

**PROCEDURAL HISTORY AND SUMMARY:**

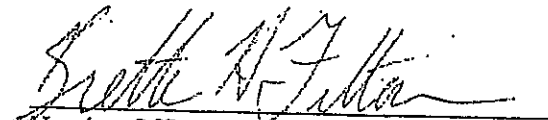
The hearing was requested on May 12, 2014, and the deadline for mailing the final decision and order was established as July 26, 2014. On June 23, 2014, Attorney for the Parents requested a postponement of the July 9, 2014 and July 11, 2014 hearing dates in order to accommodate a rescheduled mediation date. On June 26, 2014, a request for the extension of the deadline for the mailing of the final decision and order for settlement purposes was made. Both requests were granted and August 25, 2014 was set as the new deadline of the mailing of the final decision and order. On August 1, 2014, Attorney 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