

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Bridgeport Board of Education and  
Achievement First Bridgeport Academy Middle School

Appearing on behalf of the Student: Attorney Robin Keller  
Law Office of Robin Keller LLC  
50 Washington Street, Suite 921  
Norwalk, CT 06845

Appearing on behalf of the Bridgeport:  
Board of Education Attorney Gwen Zittoun  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing on behalf of Achievement First  
Bridgeport Academy Middle School Attorney Elizabeth Adams  
Elizabeth Adams Law Office  
81 Wethersfield Avenue, #2  
Hartford, CT 06114-1156

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the Student denied a Free Appropriate Public Education ("FAPE") based upon a failure to comply with Child Find requirements under IDEA and State law from 03/12/2013 to the filing date of 03/12/15?
  - a. If Student was denied a FAPE due to a violation of Child Find requirements under IDEA and State law from 03/12/2013 through 03/12/15, is the Bridgeport Board of Education ("Board") responsible? If the Board is responsible, is it in whole or in part?
  - b. If student was denied FAPE due to a violation of Child Find requirements under IDEA and State law from 03/12/13 through 03/12/15, is Achievement First Bridgeport Academy responsible ("AFBA")? If AFBA is responsible, is it in whole or in part?
2. Was the Student denied a FAPE by a failure to adhere to the procedural safeguards under IDEA and State law from 03/12/2013 to the filing date of 03/12/2015?
  - a. If Student was denied a FAPE due to a failure to adhere to the procedural safeguards, is the Board responsible? If the Board is responsible, is it in whole or in part?
  - b. If Student was denied FAPE due to a failure to adhere to the procedural safeguards, is AFBA responsible? If AFBA is responsible, is it in whole or in part?

3. Is the Student entitled to compensatory education for the period between 3/12/2013 and 3/12/2015?
  - a. If the student is found entitled to compensatory education, is the Board responsible? If the Board is responsible, is it in whole or in part?
  - b. If the student is found entitled to compensatory education, is AFBA responsible? If AFBA is responsible, is it in whole or in part?

**PROCEDURAL HISTORY:**

The Student requested a special education due process hearing in the above-captioned matter on March 12, 2015. A telephonic pre-hearing conference was held on April 2, 2015. Attorney Robin Keller appeared on behalf of the Student, Attorney Gwen Zittoun appeared on behalf of the Bridgeport Board of Education and Attorney Elizabeth Adams appeared on behalf of the Achievement First Bridgeport Academy Middle School. At the conference, it was established that the deadline for filing the final decision and order was May 26, 2015. Evidentiary hearings were scheduled for May 26, 2015 and May 28, 2015.

On April 7, 2015, Counsel for the Student submitted a written request for a thirty-day postponement and extension of the deadline to file the final decision and order to June 24, 2015. The purpose of the requested postponement and extension was to allow the parties to participate in mediation. Counsel for the respondents agreed to the requested postponement and it was granted.

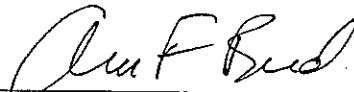
On April 24, 2015 the Student reported that the dispute had been resolved, and requested that the case be dismissed with prejudice.

**FINAL DECISION AND ORDER:**

It is ordered that the Student's request for dismissal is granted and this matter is dismissed with prejudice.

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).



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Hearing Officer Signature

ANN F BIRD

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Hearing Officer      Name in Print