

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Student: Attorney Gerry McMahon
Attorney Danielle McGee
The Law Offices of Gerry McMahon, LLC
98 Mill Plain Road, Suite 3B
Danbury, CT 06811

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

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District violate its Child Find obligation by failing to promptly and comprehensively evaluate and identify Student as a child in need of special education for the 2014-2015 school year?
2. Did the District deny Student a free appropriate public education (“FAPE”) for the 2014-2015 school year by failing to develop and offer an individualized education program (“IEP”) for the Student?
3. Did the District violate its Child Find obligation by failing to promptly and comprehensively evaluate and identify Student as a child in need of special education for the 2015-2016 school year?
4. Did the District deny Student a FAPE for the 2015-2016 school year by failing to develop and offer an IEP for Student?
5. Did the District deny Student a FAPE for the 2016-2017 school year by failing to offer Student an appropriate IEP?
6. Did the District deny Student a FAPE under Section 504 of the Rehabilitation Act?

PROCEDURAL HISTORY AND SUMMARY:

On May 22, 2017, the Board received a special education due process hearing request filed by Attorney for the Parents. The Connecticut State Department of Education appointed the undersigned Hearing Officer on May 23, 2017. During the prehearing conference held on May 26, 2017, hearing dates of July 24, 2017, July 28, 2017 and July 31, 2017 were set and the deadline for the mailing of the final decision and order was established as August 4, 2017. On July 20, 2017, the Attorney for the Parents sent an email to the Hearing Officer indicating that Parents were withdrawing their request for a special education due process hearing with prejudice.

FINAL DECISION AND ORDER:

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