

January 12, 2018

Final Decision and Order 18-0137

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. New Canaan Board of Education

Appearing on behalf of the Parents:

Attorney Gerry McMahon, and  
Attorney Mary-Caitlin Harding  
The Law Offices of Gerry  
McMahon, LLC  
98 Mill Plain Road, Suite 3B  
Danbury, CT 06811

Appearing on behalf of the Board:

Attorney Andreana Bellach  
Shipman & Goodwin, LLP  
300 Atlantic Street  
Stamford, CT 06901-3522

Appearing before:

Raymond J. Rigat, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board failed to fulfill its obligations as required by the February 2017 Settlement Agreement?
2. Whether the Board offered any individualized education plan for the 2017-18 School Year?
3. Whether the Board offered FAPE and special services for the 2017-18 School Year?
4. Whether Board should be required to reimburse tuition and related expenses for the Student's placement at the Eagle Hill School for the 2017-2018 School Year.?
5. Whether the Board failed to comply with the substantive and procedural requirements set forth in the IDEA?
6. Whether the Board should be required to provide the Student with other equitable remedies?

**PROCEDURAL HISTORY/SUMMARY:**

The Parents brought the Due Process Complaint and Hearing Request on September 29, 2017. The Hearing Officer was appointed on October 14, 2017. A Prehearing Telephone Conference took place on Conference on October 13, 2017. On October 13, 2107, the

Parents requested a thirty (30) day extension of the mailing date, which was granted. The mailing date was extended until January 12, 2018. On January 6, 2018, the Parents withdrew their Due Process Complaint without prejudice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**