

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Glastonbury Board of Education

Appearing on behalf of the Parents and Student: Atty. Jennifer D. Laviano, The Law Offices of Jennifer D. Laviano, LLC, 76 Route 37 South, Sherman, CT 06784

Appearing on behalf of the Glastonbury Board of Education: Atty. Susan C. Freedman, Shipman & Goodwin, LLP, One Constitution Plaza, Hartford, CT 06103-1919

Appearing before: Attorney Patricia M. Strong, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board deny a free appropriate public education (FAPE) to the Student for the 2006-2007 school year, including the extended school year (“ESY”), in that it failed to properly evaluate and identify his disability in order to provide necessary and appropriate transition and related services?

2. Did the Board deny a FAPE to the Student for the 2007-2008 school year, including the ESY, in that it failed to offer a residential placement at Chapel Haven and, after January 24 at the Grove School?

3. Did the Board deny a FAPE to the Student for the 2008-2009 school year, including the ESY, in that it failed to offer a residential placement at the Grove School?

4. If the Student was not offered a FAPE for any or all of these school years, is the Board financially responsible for reimbursing the Parents for all expenses they incurred for those school years, including Chapel Haven, the Grove School, the ESY programs, related services and outside evaluations?

5. Are the Parents and Student entitled to compensatory education as a remedy for past deprivations of FAPE and procedural violations?

**PROCEDURAL HISTORY:**

The Parents' attorney requested this hearing on behalf of the 18-year old Student and his Parents on July 7, 2008 by faxing a letter to the State Department of Education ("SDE"). The Board of Education's attorney received a copy of the letter on that date. This Hearing Officer was assigned to the case on July 10. On July 24, a prehearing conference was held. The mailing date for the final decision was set at September 22, 2008. The parties agreed to mediation. Hearing dates were agreed on for August 26 and September 2. On July 31, the Board's attorney requested a postponement of the August 26 hearing date because it was the first day of school. The Parents' attorney consented to the request, which was granted. On August 7, the SDE advised the Hearing Officer that the parties had not reached an agreement at the mediation on August 6 and to proceed with the hearing. On August 20, the Parents' attorney advised the Hearing Officer that the parties had reach an agreement on all issues in the hearing and requested a postponement of the September 2 hearing date in order to complete the settlement agreement. The request was granted and a hearing date was scheduled on September 17. On September 16, the Parents' attorney wrote to the Hearing Officer that she had just received the draft settlement agreement that day and wished to withdraw the hearing request without prejudice. The September 17 hearing was canceled.

**FINAL DECISION AND ORDER:**

It is ordered that this case shall be dismissed without prejudice.