

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent: Attorney Jennifer Laviano  
Law Offices of Jennifer Laviano, LLC  
76 Route 37 South  
Sherman, CT 06784

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

Appearing before: Attorney Mary H.B. Gelfman, Hearing Officer

**FINAL DECISION AND ORDER**

**PROCEDURAL HISTORY:**

By letter dated August 24, 2010, Student's Parent requested the Board's Director of Pupil Services "to move to the next level of due process". On September 2, 2010, the Board's Representative forwarded Parent's letter to the Due Process Unit, Connecticut State Department of Education. On September 10, 2010, an Education Consultant at the Due Process Unit wrote to Parent, requesting clarification of his request. This Hearing Officer was appointed on September 17, 2010. On September 23, 2010, this Hearing Officer sent out a notice for a pre-hearing conference. By email dated October 5, 2010, Parent's Attorney notified the Hearing Officer and the Board's Attorney that she would be representing Parent.

The pre-hearing conference was held on October 7, 2010. The Board had challenged the sufficiency of the Parent's request for a hearing, and during the pre-hearing conference the Hearing Officer agreed, and ruled the request insufficient. Parent's Attorney agreed to draft a revised request for hearing, and the Hearing Officer stated that she would draft issues from that letter. These facts were memorialized in a memorandum written by the Hearing Officer and emailed to the Parties on October 7, 2010. The hearing was scheduled for November 18, 2010, and the Parties discussed requesting mediation. When the Parties and the Due Process Unit notified the Hearing Officer that mediation would be held on November 18, 2010, the Hearing Officer granted the request of the Parties that the hearing be postponed from that date.

The Hearing Officer has received no revised request for hearing, and therefore is not aware of any case or controversy between the Parties.

All motions and objections not previously ruled upon, if any, are hereby overruled.

**SUMMARY:**

In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g and related regulations at 34 C.F.R. § 99, the following decision uses “Student”, “School”, “Parent”. And titles of school staff members and other witnesses in place of names and other personally identifiable information.

**FINAL DECISION AND ORDER:**

Because no revised request for hearing, which would state the issues in dispute, has been received by the Hearing Officer, this matter is DISMISSED WITHOUT PREJUDICE.