

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

Jennifer Laviano, Esq.
Law Office of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board:

Julie Fay, Esq.
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before:

Sylvia Ho, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide appropriate programs for the 2011-2012 and 2012-2013 school years and extended school years?
2. Did the Board provide an appropriate program for the 2013-2014 school year?
3. Did the Board fail to evaluate the student in all areas of suspected disability?
4. Did the Board fail to comply with Connecticut laws and regulations regarding restraint and seclusion?
5. Did the Board fail to provide student with safe transportation services?
6. Is placement at the Connecticut Center for Child Development (CCCD) appropriate?
7. If placement at CCCD is appropriate, should the Board be required to financially support placement of the student at CCCD?
8. Should the Board be required to reimburse parents the costs of the educational evaluation by the Waverly Group?
9. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parents filed the Due Process Complaint and Request for Hearing on September 15, 2013. The Hearing Officer was appointed on September 16, 2013 and conducted a Prehearing Conference on September 23, 2013. The Hearing was scheduled for November 21, 2013. On October 29, 2013, the Parents' attorney informed the Hearing Officer that the parties had successfully engaged in mediation with a state appointed mediator and reached a settlement and the Parents were withdrawing the Due Process Complaint and Request for Hearing.

FINAL DECISION AND ORDER:

The 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).



Hearing Officer Signature

Sylvia Ho

Hearing Officer

Name in Print