

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

Appearing on behalf of Student:

Attorney Jennifer Laviano
Attorney Liz Moyses
Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board of Education:

Attorney Marsha Belman Moses
Berchem Moses & Devlin
75 Broad Street
Milford, CT 06460

Appearing before:

Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via letter dated September 9, 2013.¹ It was received by Board of Education's ("BOE's") Attorney on September 9. The 30-day resolution period ended October 9. The original deadline to mail the final decision and order was November 23, 2013.

A telephonic pre-hearing conference was held on October 4. Attorney Moyses appeared on behalf of Student and Attorney Moses appeared on behalf of BOE. The following issues were identified:

1. Did the Board of Education fail to provide Student a free appropriate public education during the 2012-13 school year?
2. Did the Board of Education fail to provide Student a free appropriate public education during the 2013 extended school year?
3. Did the Board of Education fail to provide Student a free appropriate public education during the 2013-14 school year?
4. If the answer to any of the above Issues One through Three is in the affirmative, what shall be the remedy?

Via e-mail dated October 11, Student's Attorney requested an extension of the mailing date to accommodate the hearing schedule. After fully considering the positions of the parties, the request for an extension was granted and the deadline to mail the final decision and order was extended until December 23, 2013.

The parties participated in private mediation on October 18. Student's Attorney indicated that the parties were not able to reach a final agreement but did make progress towards that end; that if an agreement is not reached, Student's Parents have indicated an interest in having an updated observation of Student by the speech pathologist; and that given scheduling difficulties, Student's Parents wish to withdraw their request for Due Process without prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is dismissed without prejudice.

¹ All dates are 2013 unless otherwise indicated.

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

JANIS C. JERMAN

Hearing Officer

Name in Print