

October 21, 2015

Final Decision and Order 16-0092

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Southington Board of Education

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

Appearing on behalf of the Board: Attorney Craig Meuser  
Chinni & Meuser, LLC  
One Darling Drive  
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District deny Student a Free Appropriate Public Education (“FAPE”) for the 2013-2014 school year?
2. Did the District deny Student a FAPE for the Extended School Year (“ESY”) during the summer of 2014?
3. Did the District deny Student a FAPE for the 2014-2015 school year?
4. Did the District deny Student a FAPE for the ESY of 2015?
5. Was the Program proposed by the District for the 2015-2016 school year appropriate and if not, does The Grove School offer an appropriate program?

**PROCEDURAL HISTORY AND SUMMARY:**

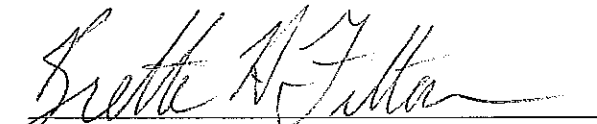
On August 11, 2015, the Board received a Special Education Due Process Hearing Request filed by Student. The Hearing Officer was appointed on August 12, 2015. During the prehearing conference held on August 31, 2015, a hearing date of October 27, 2015 was set and the deadline for mailing the Final Decision and Order was established as Friday, October 23, 2015. During the prehearing conference, Attorney for the Student requested an extension of the mailing deadline to accommodate the agreed upon hearing date schedule. The Board had no objection to this request. After a consideration of all of the relevant factors, the extension request was granted and the deadline for mailing the Final Decision and Order was extended to November 20, 2015. On October 20, 2015, the Attorney for the Student withdrew the hearing request.

**FINAL DECISION AND ORDER:**

In light of the above facts, the case is dismissed.

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

Brette H. Fitton  
Hearing Officer      Name in Print