

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student v Regional School District 15

Appearing on behalf of the Student:

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

Appearing on behalf of School District:

Attorney Julie C. Fay  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by Student via letter dated March 25, 2010.<sup>1</sup> It was received by the Board of Education on March 25. The thirty-day resolution period ran through April 24 and the original deadline for mailing the final decision and order was June 8, 2010.

A pre-hearing conference was held on April 21. Attorney Laviano appeared on behalf of Student and his Parents. Attorney Fay appeared on behalf of the Board of Education. The following issues were identified:

1. Did the Board of Education provide Student with a free appropriate public education for the period from March 25, 2008 through the end of the 2007-08 school year?<sup>2</sup>
2. Did the Board of Education provide Student with a free appropriate public education during the 2008-09 school year?
3. Did the Board of Education provide Student with a free appropriate public education during the 2009-10 school year?
4. Did the Board of Education timely identify Student as a child eligible for special education and related services?
5. If the answer to any of the above questions is in the negative, what shall be the remedy?

Via e-mail dated April 27, Student's Attorney requested an extension of the mailing date to permit the parties to participate in mediation on May 26. After fully considering the positions of the parties, the

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<sup>1</sup> All dates are 2010 unless otherwise indicated.

<sup>2</sup> Student's Attorney requested that the issue cover the entire 2007-08 school year. The Board of Education filed a Motion to Dismiss as to claims accruing prior to March 25, 2008 on the basis of the two-year statute of limitations. The Hearing Officer granted the Motion and framed the issue for the time period indicated.

request for an extension was granted and the deadline for mailing the final decision and order was extended until July 8, 2010.

The parties participated in mediation on May 26 but did not come to a settlement agreement at that time.

Via e-mail dated May 30, Student's Attorney requested an extension of the mailing date due to the unavailability of the parties for hearings prior to the deadline. After fully considering the positions of the parties, the request for an extension was granted and the deadline for mailing the final decision and order was extended until August 7, 2010. The matter was scheduled for hearing on June 18.

On June 7, Student's Attorney indicated in writing that the parties reached an agreement in principle and that they were in the process of reducing the agreement to writing. On June 10, Student's Attorney indicated that the parties executed the agreement and that Student's Parents withdraw their request for due process.

### **FINAL DECISION AND ORDER**

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.