

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Bethel Board of Education

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

Appearing on behalf of the Board: Attorney Rebecca Santiago  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before: Laura Share, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board deny the student FAPE for the 2016-17, 2017-18 and 2018-2019 school years, including ESY and related services?
2. If the Board denied the student FAPE for the 2016-17, 2017-18 and 2018-2019 school years, including ESY and related services, is residential placement at the Devereaux Glenholme School in Bethlehem, Connecticut an appropriate placement?
  - a. If the Devereaux Glenholme School in Bethlehem, Connecticut is an appropriate placement, should the Board be ordered to reimburse the parents for all expenses they have incurred as a result of the Board's failure to offer or provide a FAPE for the student for the 2016-17 and 2017-19 school years, including but not limited to tuition reimbursement and attorney's fees?
3. If the Board denied the student FAPE for the 2016-17, 2017-18 and 2018-2019 school years, including ESY and related services, is day placement with transportation at Gleholme appropriate?
  - a. If the Devereaux Glenholme School in Bethlehem, Connecticut is an appropriate placement, should the Board be ordered to reimburse the parents for all expenses they have incurred as a result of the Board's failure to offer or provide a FAPE for the student for the 2016-17 and 2017-19 school years, including but not limited to tuition reimbursement and attorney's fees?

4. If the Board denied the student FAPE for the 2016-17, 2017-18 and 2018-2019 school years, including ESY and related services, is compensatory education appropriate?

**PROCEDURAL HISTORY/SUMMARY:**

The Student initiated this special education due process case on 9/24/18. This Impartial Hearing Officer was assigned to this case on 9/24/18. A Prehearing Conference was convened on 10/4/18. Attorney Laviano appeared on behalf of the Student and Attorney Santiago appeared on behalf of the Board of Education. It was established that the deadline for filing the final decision in this case is 12/7/18. An evidentiary hearing was scheduled for 12/4/18.

On 11/28/18, Attorney Laviano and Attorney Santiago requested a postponement of the first day of hearing scheduled for 12/4/18 to accommodate settlement negotiations and an extension of the mailing date. The first day of hearing was postponed to 1/7/18.

On 1/1/19, Attorney Laviano requested a second postponement of the first day of hearing scheduled for 1/7/19 and an extension of the deadline for filing the final decision due to the parent's medical condition. Said requests were granted on 1/6/19.

On 2/1/19, Attorney Laviano advised this Impartial Hearing Officer that a fully executed agreement was reached and requested to withdraw the subject hearing request.

**ORDER:**

The matter is **DISMISSED** with prejudice.