

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student and Region 9 Board of Education

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

Appearing on behalf of the Board of Education: Attorney Marsha Moses  
Berchem, Moses & Devlin, PC  
75 Broad Street  
Milford, CT 06460

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board of Education offer the Student a free appropriate public education for the 2014-15 and/or 2015-16 School Years by failing to provide appropriate Transition Services?
2. Did the Board of Education violate the Student's procedural rights so as to constitute a violation of the Student's right to a free appropriate public education by failing to timely inform him of his Transition rights, failing to timely assess and provide for his Transition needs, and/or failing to maintain a continuum of Transition services to offer the Student?
3. If either issue is answered in the affirmative, shall the Student be placed at Landmark School and/or receive compensatory education services or other remedies?

**PROCEDURAL HISTORY:**

The Student requested a special education due process hearing on June 11, 2015. The Impartial Hearing Officer was assigned to the case on June 11, 2015. A telephonic pre-hearing conference was held on June 24, 2015. Attorney Jennifer Laviano appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education. The deadline for filing the final decision was established to be August 25, 2015. Evidentiary hearings were scheduled for August 31, 2015 and September 3, 2015.

On August 20, 2015, the Student reported that the parties had reached a tentative agreement, and requested that the evidentiary hearings be cancelled. The Student also requested postponement and extension of the deadline for filing the final decision. The Student's request was granted. The evidentiary hearings were cancelled and the deadline for filing the final decision was extended to September 24, 2015.

On September 24, 2015, the Student requested an additional extension of the deadline to file the final decision so that the parties could complete their settlement agreement. That request was also granted, and the deadline to file the final decision was extended to October 23, 2015.

On October 23, 2015, the Student requested an additional extension of the deadline to file the final decision so that the parties could complete their settlement agreement. That request was also granted, and the deadline to file the final decision was extended to November 6, 2015.

On November 3, 2015, the Hearing Officer requested a status report on the parties' settlement and warned that the deadline to file the final decision was again approaching. The Hearing Officer warned that, in the absence of another request for extension of the deadline to file the final decision, the matter would be dismissed for failure to prosecute. Neither party responded.

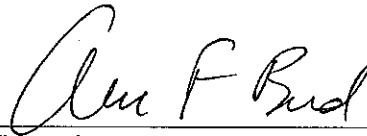
The Student has failed to prosecute this matter.

**FINAL DECISION AND ORDER:**

It is ordered that this matter is dismissed for failure of the Student to prosecute the request for due process.

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

ANN F BIRD

Hearing Officer

Name in Print