

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Fairfield Board of Education

Appearing on behalf of the Parent:

Jennifer Laviano, Esq.
Law Office of Jennifer Laviano, LLC
76 CT Route 37
Sherman, CT 06784

Appearing on behalf of the Board:

Peter Maher, Esq.
Shipman and Goodwin LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide FAPE, including accommodations and related services for the 2014-2015 and 2015-2016 school years?
2. Did the Board engage in predetermination of the Student's program outside of the planning and placement team meetings (PPTs)?
3. Were Parents denied meaningful participation at any PPT?
4. If the answer to Issue 1 is in the affirmative, is Easton Country Day School an appropriate placement for Student?
5. If so, should the Board be required to place Student at Easton Country Day School with related services?
6. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parents filed the Due Process Complaint and Request for Hearing on June 22, 2015. The Hearing Officer conducted a Prehearing Conference on August 3, 2015. The hearing was scheduled for October 22, 2015. At the hearing, the parties reported that they were near settlement of the issues in dispute. The hearing was continued to December 1, 2015. On November 3, 2015, the Parents' attorney reported to the Hearing Officer that the Parents were withdrawing the Due Process Complaint without prejudice.

FINAL DECISION AND ORDER:

The matter 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

Sylvia Ho
Hearing Officer Name in Print