

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

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

Appearing on behalf of the Board: Attorney Michelle Laubin  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before: Attorney Catherine M. Spain, Impartial Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board provide the Student a free, appropriate, public education (FAPE) in the least restrictive environment (LRE) during the 2010-2011 school year, including summer session?
2. Did the Board provide the Student a FAPE in the LRE during the 2011-2012 school year, including summer session?
3. a. Did the Board propose an educational placement that would provide the Student a FAPE in the LRE for the 2012-2013 school year?  
b. If not, was the Parents' unilateral placement appropriate?

**SUMMARY:**

A special education due process hearing was requested by the Parent's attorney and received by the Board on November 13, 2012. Attorney Laviano appeared on behalf of the Parent and Attorney Laubin on behalf of the Board during a telephonic pre-hearing conference on December 11, 2012. During the pre-hearing conference, Attorney Laviano requested a 30-day extension, to which Attorney Laubin agreed. The motion for extension was granted and the deadline for the final decision and order was extended to February 28, 2013. On February 16, 2013, pursuant to a settlement agreement between the parties, Attorney Laviano withdrew the request for a due process hearing.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED** with prejudice.