

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ridgefield Board of Education

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

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

Appearing Before: Attorney Robert Skelley
Hearing Officer

FINAL DECISION AND ORDER

Issues:

1. Did the Ridgefield Board of Education ("Board") deny a free and appropriate public education ("FAPE") to the Student for the 2011-2012 school year?
2. Did the Board fail to maintain a continuum of appropriate alternative placements for the student?
3. Did the Board fail to offer an Individualized Education Program ("IEP") individualized to meet the unique needs of the student?
4. Did the Board fail to timely provide Prior Written Notice or the IEP to the Parents following the June, 2011 Planning and Placement Team ("PPT") meeting?
5. Did the Board fail to have an appropriate IEP in place prior to the first day of school as required by law?

Procedural History:

This matter is before the Hearing Officer pursuant to a Request for Due Process Hearing filed by the Student on January 25, 2012, and received by the Board on the same date. A pre-hearing conference was held by telephone on January 27, 2012, with Attorney Laviano appearing for the Parents and Attorney Moses appearing for the Board. The issues listed above were agreed to by the parties and an initial hearing date was set for February 29, 2012. On January 31, 2012, Attorney Laviano, with consent by Attorney Moses, requested an extension of the date of a Final Decision and Order. On February 1, 2012 an extension of the resolution period was granted until February 29, 2012, having met the requirements to do so. The mailing date for the Final Decision and Order was moved to April 12, 2012. On February 15, 2012, Attorney Laviano requested a postponement of the hearing date to allow the parties to participate in

mediation. The hearing date postponement was granted, with the dates of May 9 and May 11, 2012 selected for the Due Process Hearing. On April 4, 2012, via email, Attorney Laviano informed the hearing officer that the parties had reached settlement and executed an Agreement. Attorney Laviano further stated that the Parents were withdrawing their request for Due Process with prejudice, and releasing the May 9 and May 11, 2012 hearing dates.

Final Decision and Order:

It is therefore ordered that:

Pursuant to the request by the Parents to withdraw their request for due process, and with no other issues in this matter awaiting resolution, this matter is dismissed *with prejudice.*