

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on behalf of the Student: 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: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board's proposed program for the Student for the 2013-14 school year is appropriate, designed to meet his individual academic and social needs, which contained a sufficient level of direct instruction, structure and intensity to meet those needs, and is reasonably calculated to enable him to obtain educational benefit.
2. If not, whether the placement of the Student at Easton Country Day School is appropriate and shall be reimbursed.

**PROCEDURAL HISTORY/DISCUSSION:**

This hearing request was received by the Board on August 27, 2013, and a prehearing conference convened on September 6, 2013. At the prehearing conference the attorneys for both parties confirmed that the parties would agree to mediate this case if they were unable to resolve the matter through discussion between the attorneys.

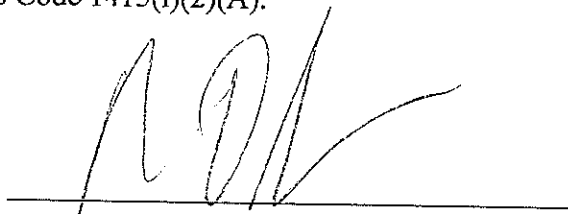
The Parents' request for an extension of the mailing date of the decision was granted so that the parties had sufficient time to settle this case, and a hearing date of October 29, 2013 was scheduled. Prior to the first hearing date, the Parents' attorney submitted notification that the parties were in the process of finalizing a settlement agreement and requested that the case be withdrawn without prejudice. Therefore, this matter is dismissed.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**, without prejudice.

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).

A handwritten signature in dark ink, appearing to read 'M. Oppenheim', is written over a horizontal line.

Attorney Mary Elizabeth Oppenheim  
Hearing Officer