

June 24, 2011

Final Decision and Order 11-0411

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Fairfield Board of Education v. Student

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

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

Appearing before: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

Whether the Board's evaluations of the Student are appropriate.

**PROCEDURAL HISTORY/DISCUSSION:**

This request for hearing was received by the Parents on April 20, 2011 and a prehearing conference convened on May 18, 2011 a date requested by the parties. At the request of the Board's attorney, the mailing date was extended to allow for sufficient time to attempt to settle the matter through mediation, and the hearing date of June 24, 2011 was scheduled. On June 16, 2011 the Board's attorney submitted a second request for extension of the mailing date and postponement of the June 24, 2011 hearing date, which was denied. As is set forth in Regs. Conn. Agencies §10-76h-9, only one extension of the mailing date of the decision may be granted for continued settlement discussions, and the hearing officer shall not have authority to grant any further postponements or extensions for continued settlement discussions.

Subsequently, the Board's attorney submitted notification that the Board withdraws its complaint. Therefore, this matter is dismissed, without prejudice.

**FINAL DECISION AND ORDER:**

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