

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Region 6 Board of Education

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

Appearing on behalf of the Board: Attorney Christine Chinni
Chinni and Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny Student a Free Appropriate Public Education ("FAPE") for that portion of the 2013-2014 school year beginning on February 10, 2014?
2. Did the District deny Student a FAPE during the Extended School Year ("ESY") in the summer of 2014?
3. Was the program proposed by the District for the Student for the 2014-2015 school year appropriate and if not, does the Marvelwood School, where the Student was unilaterally placed by the Parents, provide Student with an appropriate program, thereby entitling the Parents to reimbursement of the cost of additional support services associated with Student's attendance?
4. Did the District deny Student a FAPE during the ESY in the summer of 2015?
5. Did the District deny the Student a FAPE during the 2015-2016 school year by failing to propose an Individualized Education Program for Student?

PROCEDURAL HISTORY AND SUMMARY:


On February 10, 2016, the Board received a Special Education Due Process Hearing Request filed by Parents and the undersigned Hearing Officer was assigned by the Connecticut State Department of Education to hear the matter. During the prehearing conference held on March 4, 2016, the hearing date of May 6, 2016 was set and the deadline for the mailing of the Final Decision and Order was established as April 25, 2016. On March 4, 2016, the Attorney for the Parents requested an extension of the mailing deadline in order to accommodate the agreed upon hearing date schedule. The Board had no objection to this request. The extension request was granted and a new mailing deadline of May 25, 2016 was established. On April 12, 2016, the Hearing Officer received an email from Attorney for the Parents, in which she indicated the matter had settled and Parents were withdrawing their hearing request with prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case 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

Brette H. Fitton
Hearing Officer Name in Print