

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stratford Board of Education

Appearing on behalf of the Parents: Attorney Jennifer Laviano
The Law Offices 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 Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board violated the Parents' right to an independent educational evaluation of the Student by imposing IEE criteria that violates the IDEA;
2. Whether the Board denied the Parents' request for an independent evaluation by Dr. Michael Powers without proper basis;
3. Whether the Board failed to initiate due process hearings when IEEs were denied as required by law;
4. Whether the Board failed to include all of the Parents' requests and the Board's refusals on the Prior Written Notice pages of IEPs;
5. Whether the Board excluded necessary related service providers from IEP meetings rather than considering the necessity of their involvement on an individual basis, and with consent of the Parents, in violation of the "excusal" provisions for IEP team members under the IDEA;
6. Whether the Board shall provide the Student an IEE by Dr. Powers at public expense;
7. Whether the Board shall be ordered to create a new IEE policy to conform with their IDEA obligations;
8. Whether the Board shall terminate any policy or practice to exclude entire disciplines of service providers from all but annual review IEP meetings;
9. Whether the Student is entitled to compensatory education.

PROCEDURAL HISTORY/DISCUSSION:

The request for hearing was received by the Board on January 20, 2012 and a prehearing conference convened on January 30, 2012. At the prehearing conference, the parties reported that they agreed to mediate the case.

On March 6, 2012, prior to the first hearing date, the Parents' attorney submitted notification that the case was settled. Therefore, this matter is dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.