

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

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

Appearing on behalf of the Board: Attorney Michael McKeon
Sullivan, Schoen, Campana & Connon, LLC
646 Prospect Street
Hartford, CT 06105

Appearing before: Robert L. Skelley, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the New Milford Board of Education ("Board") deny the Student a free and appropriate public education (FAPE) during the academic years of 2010-2011, 2011-2012, and 2012-2013?
2. If the answer to the above is yes, for any or all of the academic years in question, what is the appropriate remedy?
3. Did the Board deny a FAPE to the Student during the extended school year ("ESY") for the summer periods of 2010-2011 and 2011-2012?
4. If the answer to Issue No. 3 is yes to any or all of the time periods in question, what is the appropriate remedy?
5. Did the Board significantly change the June 1, 2012 Individualized Education Program ("IEP") without parental consent or participation, and if so, did that change deny the Student a FAPE?
6. If the answer to Issue No. 5 is yes, what is the appropriate remedy and does that remedy include the parental unilateral placement of the Student at The Speech Academy?

PROCEDURAL HISTORY:

The hearing was requested on November 13, 2012 with the original deadline for the final decision and order being January 25, 2013. A resolution meeting was not scheduled as the parties agreed to participate in mediation. Mediation was subsequently scheduled for January 31, 2013. The initial Due Process hearing was scheduled for January 7, 2013. On December 7, 2012, the Parents requested an extension to allow for mediation to occur and possibly resolve the issues. The request for an extension was granted and the due process hearing date moved to February 11, 2013. On January 31, 2013, the hearing officer was notified by counsel for the Parents that mediation had resulted in resolution of the issues and that the Parents were withdrawing their complaint with prejudice.

FINAL DECISION AND ORDER:

Given that the Parties have resolved the issues raised in the complaint to the satisfaction of the Parents, and that the Parents wish to withdraw their complaint with prejudice, with no further issues remaining, this matter is dismissed *with prejudice*.