

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and New Fairfield 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 of Education: Attorney Julie Fay  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before: Attorney Ann F. Bird, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board of Education offer the Student a free appropriate public education for the 2014-15 School Year?
2. If not, is the alternative school an appropriate placement in the least restrictive environment?
3. If the Board of Education did not offer the Student a free appropriate public education, and the alternative school is not appropriate, what is an appropriate placement in the least restrictive environment?

**PROCEDURAL HISTORY:**

The Student requested a special education due process hearing on September 3, 2014. This Impartial Hearing Officer was assigned to the case on the same day. A prehearing conference was conducted on September 29, 2014. Attorney Jennifer Laviano appeared on behalf of the Student and Attorney Julie Fay appeared on behalf of the New Fairfield Board of Education. At the conference, evidentiary hearings were scheduled for December 8 and December 12, 2014. It was also established that the deadline to conduct the hearings and to file the final decision was November 17, 2014.

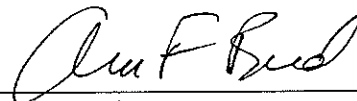
On September 30, 2014, Counsel for the Student submitted a written request for a thirty-day postponement and extension of the timeline to conduct the hearing and to file the final decision in this case to December 17, 2014. The purpose of the requested postponement and extension was to allow the parties an opportunity to participate in mediation. Counsel for the Board of Education agreed to the requested postponement, and it was granted. On November 17, 2014, the Student reported that the parties reached a mutual agreement and requested that the matter be dismissed.

**FINAL DECISION AND ORDER:**

It is ordered that the Student's request for dismissal is granted and this matter 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

Ann F Bird

Hearing Officer

Name in Print