

March 27, 2014

Final Decision and Order 14-0347

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Somers Board of Education

Appearing on behalf of the Parent:

Jennifer Laviano, Esq.
Law Office of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board:

Michael P. McKeon, Esq.
Pullman and Comley
90 State House Square
Hartford, CT 06103

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board evaluate Student in all areas of suspected disability prior to the 2013-2014 school year?
2. Did the Board offer an appropriate program for Student in the 2013-2014 school year?
3. Did the Board provide opportunities for meaningful parent participation?
4. Did the Board comply with procedural safeguards?
5. Is Deveraux-Glenholme School ("DGS") residential placement an appropriate placement for Student?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on January 22, 2014. The Hearing Officer was appointed on that same day and conducted a Prehearing Conference on January 27, 2014. The hearing was scheduled for March 31, 2014. On March 26, 2014, the Parent's attorney reported to the Hearing Officer that the parties were continuing to participate in mediation and that the Parents would withdraw their Due Process Complaint without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without prejudice.

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

Sylvia Ho
Hearing Officer Name in Print