

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Newtown Board of Education

Appearing on behalf of the Parents: Attorney Jennifer D. Laviano, The Law Offices of Jennifer Laviano, LLC, 77 Danbury Road, Suite C-6, Ridgefield, CT 06877

Appearing on behalf of Newtown Board of Education: Attorney Michelle C. Laubin, Berchem, Moses & Devlin, P.C., 75 Broad Street, Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

**FINAL DECISION AND ORDER**

**PROCEDURAL HISTORY**

The Parents filed a due process hearing request with the State Department of Education (SDE) on March 1, 2006. This Hearing Officer was assigned to the case on March 2. On March 7, the Board's attorney filed an appearance and a response to the due process complaint, including challenges to the sufficiency of the complaint and the Parents' standing to represent the Student who is over the age of 21. The Board received the due process request on March 1, 2006. On March 10, the Parents' attorney filed a response to the Board's attorney's letter. She stated that she represented the Student as well as the Parents. She also outlined the dispute as to the Student's exiting from special education in June 2005. On March 14, the Hearing Officer ruled that the complaint, as amended by the Student's attorney on March 10, was sufficient to meet the notice requirements for a hearing. A prehearing conference was scheduled for March 16. The prehearing was held on March 17 at which time the parties agreed to mediate the matter and jointly requested a 30-day postponement of the May 15 decision deadline. A hearing date was scheduled for May 10 and the decision deadline was extended to June 14, 2006.

On April 7, the Student's attorney wrote to the Hearing Officer requesting a postponement of the May 10 hearing in order to continue the mediation on that date. On April 24, the Board's attorney wrote to the Hearing Officer requesting that the hearing date be postponed to May 23 by agreement of the parties. On April 28, the Hearing Officer granted the postponement of the May 10 hearing to May 23 and reset the decision deadline to June 16, 2006. On May 11 the SDE advised the Hearing Officer that the parties reached agreement on May 10 and that the hearing request was withdrawn with prejudice.

**FINAL DECISION AND ORDER**

It is ordered that this case be dismissed with prejudice.