

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

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

Appearing on behalf of the Board of Education: Attorney Marsha Moses  
Berchem, Moses & Devlin  
75 Broad ST  
Milford, CT. 06457

Appearing before: Attorney Deborah R. Kearns  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES**

- I. Whether the child requires an out-of-district placement to receive a free and appropriate public education?
- II. Whether the parents fully cooperated in an evaluation of the child's needs?

**PROCEDURAL HISTORY**

The parent requested a due process hearing on September 28, 2007. The parties requested time to attempt to reach a resolution and extended the date for mailing the final decision to permit time to discuss settlement and review the need for additional evaluations. The first date of hearing was scheduled and the parties found they required additional time to determine whether they would be able to reach a full agreement. On the last day of hearing the parties believed they would reach agreement and believed they did not require any additional dates for hearing. The matter was resolved within 45 days as extended by the parties to pursue settlement negotiations.

**FINAL DECISION AND ORDER**

1. The case is dismissed with prejudice.