

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford 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: Attorney Marsha Moses
Berchem, Moses and Devlin, P.C.
75 Broad Street
Milford, CT 064

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny Student a free appropriate public education for the 2017-2018 school year?
2. Is Eagle Hill, where the Parents unilaterally placed Student for the 2017-2018 an appropriate placement, and are parents entitled to reimbursement for tuition and transportation costs resulting from Student's enrollment for the 2017-2018 school year.
3. Is the Student entitled to compensatory education?
4. Did the District violate Student's rights under Section 504 of the Rehabilitation Act and under the Americans with Disabilities Act?

PROCEDURAL HISTORY AND SUMMARY: On January 5, 2018, the Stamford Board of Education received a request for a special education due process hearing filed by the Parents. The undersigned hearing officer was appointed by the Connecticut State Department of Education on January 9, 2018. A prehearing conference was held on February 6, 2018. During this conference, the deadline for mailing the final decision and order was established as March 21, 2018 and March 20, 2018 was set as the initial hearing date. Counsel engaged in mediation on February 15, 2018, which did not resolve the matter. On February 26, 2018, Parents requested an extension of the deadline for mailing the final decision and order to accommodate the need for additional hearing dates. This request was granted after consideration of the factors set forth in R.C.S.A. §10-76h-9(d) and resulted in a revised deadline for mailing the final decision and order of April 20, 2018. On March 4, 2018, Parents' requested to postpone the March 20, 2018 hearing date without objection from the Board. Parents also requested an extension of the April 20, 2018

April 26, 2018

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mailing deadline to accommodate the agreed upon revised hearing date schedule which included a new hearing date of April 24, 2018. Parents' requests were granted on March 16, 2018. The new deadline for filing the final decision and order was established as May 18, 2018. On April 24, 2018, the hearing was opened and the Parents withdrew their request for a special education due process hearing on the record with prejudice.

FINAL DECISION AND ORDER: In light of the above facts, the case is dismissed.