

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Avon Board of Education v. Student<sup>1</sup>

Appearing on behalf of Student: Attorney Robin P. Keller  
Law Office of Robin P. Keller LLC  
48 Calf Pasture Beach Road  
Norwalk, Connecticut 06855

Appearing on behalf of the Board of Education: Attorney Johanna Zelman  
FordHarrison  
750 Main Street Suite 60  
Hartford, CT 06103

Appearing before: Janis C. Jerman  
Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by the Board of Education's ("BOE's") Attorney via letter dated May 19, 2017.<sup>2</sup> It was received by Student's Attorney on May 19. The original deadline to mail the final decision and order was July 3. A telephonic pre-hearing conference was held on June 6. Attorney Keller appeared on behalf of Student and Attorney Zelman appeared on behalf of BOE. The following issues were identified:

**ISSUES:**

1. Is the Board of Education's 2016 evaluation of Student - consisting of a June psychological evaluation, a September educational evaluation, and a September speech and language evaluation - appropriate?
2. If the answer to Issue 1 is in the negative, is Student entitled to an Independent Educational Evaluation at public expense?

During the prehearing conference and via letter dated June 6, BOE's Attorney requested an extension of the deadline to mail the final decision and order to allow the parties time to schedule hearing dates. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until August 1.

Via letter dated July 14, BOE's Attorney requested another extension of the deadline to mail the final decision and order to accommodate scheduling a hearing on dates that the parties and

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<sup>1</sup> In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA") and related regulations at 34 CFR § 99, this decision uses "Student," "Parents," and titles of certain school staff members and witnesses in place of names and other personally-identifiable information.

<sup>2</sup> All dates are 2017 unless otherwise indicated.

Hearing Officer were mutually available. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until August 31.

Via letter dated August 10, BOE's Attorney requested a two week extension of the deadline to mail the final decision and order to allow the parties to reduce a settlement agreement to writing. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until September 14. Hearing was scheduled for September 8. Via letter dated August 28, BOE's Attorney indicated that the parties reached a settlement and withdrew the request for hearing.

### **FINAL DECISION AND ORDER**

Based on the above facts, the case is dismissed.