

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Plymouth Board of Education

Appearing of behalf of the Parents: Attorney William Laviano
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Ridgefield, Connecticut 06877

Appearing of behalf of the Board: Attorney Susan Freedman
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Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board failed to schedule 504 or IDEA PPTs since September 1, 1989 despite constructive notice of disability.
2. Whether the Board failed to advise the parents of their rights.
3. Whether the Board failed to evaluate the student.
4. Whether the Board failed to provide the student with an appropriate program.
5. Whether the parents are entitled to reimbursement for evaluations.
6. Whether the parents' placement of the student with the related services is appropriate.

SUMMARY:

The matter was assigned on October 25, 2000. The prehearing conference was held on October 31, 2000 for the matter filed on behalf of two students, S. and B. At that prehearing conference, the parties indicated that they were filing for mediation in the matter. On that date, counsel for the parent filed a request for a continuance of the matter filed on behalf of S. and withdrew the action filed on behalf of B. A Notice of Postponement and of Scheduling Hearing Date was forwarded to both counsel via facsimile transmission on October 31, 2000, scheduling the first hearing date for

Wednesday, November 29, 2000. No further requests for postponement were filed or granted, and no withdrawal was filed on or before the November 29, hearing date. Counsel for the parent, counsel for the Board, the parents and the Board did not appear at the scheduled hearing.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, without prejudice.