

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on Behalf of the Parents: Jennifer D. Laviano, Esq.
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Appearing on Behalf of the Board: Susan C. Freedman, Esq.
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Hartford, CT 06103-1919

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The student is a 12 year old young boy who has been identified as learning disabled and entitled to receive a free appropriate public education as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parents rejected the 2004-2005 IEP and contended that the 2003-2004 IEP did not provide the student with FAPE. The Parents requested an out of district placement at the Board's expense and compensatory education. The Board rejected the Parents' request and the Parents requested a Due Process Hearing.

On February 7, 2005, a hearing officer was appointed. A pre-hearing conference was held on February 22, 2005 and agreed upon hearing dates of April 18 & 19, 2005 were agreed to by the parties.

The hearing dates of April 18 & 19, 2005 were cancelled at the request of the parties, once the parties were attempting to settle the matter. On or about May 25, 2005, after mediation, the Parents' attorney by facsimile transmission informed the hearing officer that they were withdrawing the matter without prejudice.

The date for the Final Order and Decision was extended by request of the parties to June 21, 2005.

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THE MATTER IS DISMISSED WITHOUT PREJUDICE.