

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student v. Wolcott Board of Education

Appearing on behalf of the Student:

Attorney Jennifer Laviano  
Law Offices of Jennifer Laviano, LLC  
76 Route 37 South  
Sherman, CT 06784

Appearing on behalf of the Board:

Attorney Craig Meuser  
Chinni & Meuser, LLC  
30 Avon Meadow Lane  
Avon, CT 06001

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by the Student via letter dated January 7, 2010.<sup>1</sup> It was received by the Board of Education on the same date. Therefore, the 30-day resolution period ran through February 6 and the original deadline for mailing the final decision and order was March 23. A pre-hearing conference was held on January 20. Attorney Laviano appeared on behalf of the Student and Attorney Meuser appeared on behalf of the Board of Education. The following issues were identified:

1. Did the Board of Education provide Student with a free appropriate public education for the 2008-09 school year?
2. Did the Board of Education appropriately classify Student under the eligibility category of “developmentally delayed” rather than “speech and language impaired”?
3. If the answer to any of the above issues one through two is no, what shall be the remedy?

The case was scheduled for hearing on February 8. On February 2, Student requested a postponement of the hearing to permit the parties to participate in mediation on March 2. Student also requested an extension of the deadline to mail the final decision and order. The requests were granted. The deadline to mail the final decision and order was extended until April 22. The case was re-scheduled for hearing on March 22, 24, 26, and 29.

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<sup>1</sup> All dates are 2010 unless otherwise indicated.

On March 8, Student indicated that the parties reached an agreement in principle and that he withdraws the request for due process without prejudice pending the drafting and execution of the agreement.

**FINAL DECISION AND ORDER**

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.