

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Barkhamstead Board of Education

Appearing on behalf of Student:

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

Appearing on behalf of the Board:

Attorney Mark J. Sommaruga
Sullivan Schoen & Connors LLC
646 Prospect Avenue
Hartford, CT 06105

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via Letter dated October 7, 2010.¹ It was received by the Board of Education ("BOE") on October 7. The thirty-day resolution period ran through November 6 and the deadline for mailing the final decision and order is December 21, 2010.

A pre-hearing conference was held on October 20. Attorney Laviano appeared on behalf of Student and Attorney Sommaruga appeared on behalf of BOE. The following issues were identified:

1. Did BOE deny Student a free appropriate public education by failing to provide transportation to and from his IEP placement?
2. Did BOE violate Parents' procedural safeguards by failing to convene a PPT meeting to discuss a change to Student's transportation related service?
3. If the answer to Issues One or Two are in the affirmative, what shall be the remedy?

The parties waived a resolution session and indicated that they had come to an agreement. The parties asked for time to complete and execute an agreement. The Hearing Officer agreed to give the parties time to settle and withdraw the case pursuant to an agreement before scheduling hearing dates.

On November 7, Student's Attorney indicated that she received the signed settlement agreement and that Parents withdraw the request for due process hearing with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.

¹ All dates are 2010 unless otherwise indicated.