

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Bristol Board of Education

Appearing on behalf of the Student:

Attorney Jennifer Laviano  
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Sherman, CT 06784

Appearing on behalf of the Board:

Attorney Linda Yoder  
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One Constitution Plaza  
Hartford, CT 06010

Appearing Before:

Attorney Susan Dixon  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board deny Student a Free and Appropriate Public Education (“FAPE”) for the 2018-2019 school year, by failing to offer an individualized education plan, program or placement that meets her needs, in violation of 20 U.S.C. § 1414 et seq. and R.C.S.A. § 10-76d et seq.
2. Did the Board deny Student a FAPE for the 2019-2020 school year by failing to offer an individualized education plan, program or placement that meets her needs, in violation of 20 U.S.C. § 1414 et. seq. and R.C.S.A. § 10-76d et seq. ?
3. If #1 and/or #2 is/are found in the affirmative, the Student requests reimbursement of tuition and related expenses for Student's placement at the Easton Country Day School during the 2019-2020 and the 2020-2021 school years as compensatory education.

**PROCEDURAL BACKGROUND:**

The Student filed this Request for a Due Process Hearing on August 13, 2020. The Hearing Officer was assigned on August 19, 2020. A Prehearing Conference was scheduled and held on August 25, 2020. At that time, hearing dates of October 15 and 22, 2020 were set and the date for mailing the final decision was determined to be November 10, 2020. A short extension to October 29, 2020 was requested and granted. During this time, hearing dates and dates for mailing of the final decision were allowed to be rescheduled and extended in accord with Connecticut State Executive Order 9L.

The hearing in the above case commenced on October 29, 2020. Subsequent dates were agreed on of December 4 and 11, 2020. Those dates were continued due to an active Covid-19 outbreak directly affecting counsel's office. The parties then requested another extension of the dates of January 4 and 5, 2021 to February 11, 2021, and an extension of the mailing date to March 11, 2021 as they were close to an agreement and needed time to complete the settlement. Accordingly, the hearing was continued to February 11, 2021. On February 10, 2021, counsel informed the Hearing Officer that the parties had reached an agreement and the case was withdrawn.

**FINAL DECISION AND ORDER:**

The case is DISMISSED without prejudice.