

**DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.  
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Appearing on Behalf of the Board: Michelle C. Laubin, Esq.  
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Appearing Before: Attorney Justino Rosado, Hearing Officer

**FINAL DECISION AND ORDER****ISSUE:**

1. Is the Student a student who requires special education and related services as a student who is emotionally disturbed as defined in 20 USC. §1401 et seq and Connecticut General Statute §10-76a?
2. Should the Board be required to pay for the unilateral placement of the Student at the New Haven School?

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 15 years and 8 months young man who has not been identified as a Student requiring special education and related services and is not entitled to receive a free and appropriate public education as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a June 19, 2006 PPT, the Parents rejected the finding of the PPT that the Student is not eligible to receive special education and related services as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parents placed the Student at the New Haven school and requested that the Board identify the Student as emotionally disturbed and pay for his unilateral placement. The Board rejected the Parents' request. On or about August 31, 2006 the Parents sent the Board a letter advising them that they were requesting a due process hearing.

On or about August 31, 2006 an impartial special education hearing officer was appointed to hear the matter. A pre-hearing conference was held on September 21, 2006 and hearing date of November 2, 2006 was chosen by the parties. The parties held a resolution meeting on September 26, 2006.

The Parents in a letter to the Hearing Officer withdrew their request for a due process with prejudice. This request was granted.

The date for the order and decision was extended to accommodate the hearing dates.

The date for the Final Decision and Order is December 2, 2006.

**FINAL DECISION AND ORDER:**

**THE MATTER IS WITHDRAWN WITH PREJUDICE.**