

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on Behalf of the Parents: Andrew A. Feinstein, Esq.  
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Bloomfield CT 06002

Appearing on Behalf of the Board: Michelle C. Laubin, Esq.  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Is the Program offered by the Board for the 2007-2008 school year, appropriate and provide the student with a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) according to 20 U.S.C. §§ 1401 et seq?
2. Should the Board provide the Student with an Extended School Year (ESY) Program in the LRE for the summer of 2007?
3. Does the Program at Eagle Hill In Southport, CT provide the Student with FAPE in the LRE?
4. Does the ESY Program at Eagle Hill in Southport, CT provide the Student with FAPE in the LRE for the summer of 2007?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student is a 14 years and 3 month young man who has been identified as Other Health Impaired ADHD/OCD, Tourette's Syndrome and is entitled to receive a free and appropriate public education ("FAPE") as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At the May 24, 2007 PPT meeting, the Parents rejected the program offered by the Board for the 2007-2008 school year. The Parents' requested placement at Eagle Hill in Southport, CT. The Board refused the Parents' request.

On or about June 1, 2007, the Board received notice of the parents' request for due process.

An impartial hearing officer was appointed and a pre-hearing conference was held on June 11, 2007. A hearing date of July 26, 2007 was chosen by the parties. On or about July 18, 2007 the Hearing Officer assigned to the due process hearing recused herself and another hearing officer was appointed. On or about July 19, 2007 the parties mediated the matter and were able to come to an agreement.

In a letter dated July 20, 2007, the hearing was informed of the resolution.

At the request of the parties, in order to accommodate the filing of a final decision and order after the hearing dates, the date for the filing of the Final Decision and Order was extended.

The date for the Final Decision and Order is August 27, 2007.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**