

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on behalf of the Parents: Atty. Jennifer D. Laviano, The Law Offices of Jennifer D. Laviano, LLC, 76 Route 37 South, Sherman, CT 06784

Appearing on behalf of the Trumbull Board of Education: Atty. Michelle C. Laubin, Berchem, Moses & Devlin, P.C., 75 Broad Street, Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES

1. Did the Board offer a free appropriate public education (FAPE) to the Student for the 2005-06 school year as required by 20 U.S.C. Section 1401 et seq. and Conn. Gen. Stats., Section 10-76a?
2. Did the Board offer a free appropriate public education (FAPE) to the Student for the 2006-07 school year as required by 20 U.S.C. Section 1401 et seq. and Conn. Gen. Stats., Section 10-76a?
3. Did the Board offer a free appropriate public education (FAPE) to the Student for the 2007-08 school year as required by 20 U.S.C. Section 1401 et seq. and Conn. Gen. Stats., Section 10-76a?
5. If the Student was not offered a FAPE, is the Board financially responsible for the Student's placement at Foundation School for the 2007-08 school year?
6. Is the Board responsible for reimbursing the Parents for all expenses they incurred for 2005-06, 2006-07 and the ESY programs for 2006 and 2007?

PROCEDURAL HISTORY

The Parents' attorney requested this hearing on August 17 by faxing a letter to the State Department of Education ("SDE"). The Board of Education's attorney received a copy of the letter on that date. This Hearing Officer was assigned to the case on August 22. On September 12, a prehearing conference was held. The mailing date for the final decision was set at October 31, 2007. Hearing dates were agreed on for October 22 and November 1, 2, 5 and 8. On September 21, the Parents' attorney requested an extension of the mailing date for the final decision until December 3, which was granted with the Board attorney's consent. On October 4, the Parents' attorney requested a postponement of the October 22 hearing date so that the parties could continue settlement discussions. The request was granted. On October 24, the Parents' attorney advised the Hearing Officer that the parties had agreed to resolve their dispute through the Planning and Placement Team process and stated that the Parents were withdrawing the hearing request without prejudice.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed without prejudice.