

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

On behalf of the Parents: Attorney Lawrence W. Berliner
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 105
West Hartford, CT 06110

On behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing Before: Stacy M. Owens, Esq.

FINAL DECISION AND ORDER

ISSUES:

1. Whether the IEP developed for the Student's 2007-2008 school year was sufficient to provide the Student a free and appropriate public education ("FAPE").
 - a. If not, whether the Parents' unilateral placement of the Student at the Winston Preparatory School during the 2007-2008 school year was appropriate, thereby entitling the Parents to reimbursement.
2. Whether the IEP developed for the Student's 2008-2009 school year was sufficient to provide the Student a free and appropriate public education ("FAPE").
 - a. If not, whether the Parents' unilateral placement of the Student at the Winston Preparatory School during the 2008-2009 school year was appropriate, thereby entitling the Parents to reimbursement.

SUMMARY/PROCEDURAL HISTORY

On or about March 11, 2009, the Trumbull Board of Education ("the Board") and the State of Connecticut Department of Education received a request for hearing from the Parent. (H.O. Exh. 1)

On March 17, 2009, the undersigned was appointed as hearing officer to preside over the hearing, rule on all motions, determine findings of fact and conclusions of law, and issue an order. (H.O. Exh. 2)

On April 17, 2009, Attorney Michelle Laubin filed an Answer on behalf of the Board. (H.O. Exh. 3)

A prehearing conference convened on May 14, 2009. (H.O. Exh. 4) During the prehearing conference, Attorney Lawrence W. Berliner appeared on behalf of the Parents; Attorney Michelle Laubin appeared on behalf of the Board. The issues were confirmed and the hearing was scheduled for June 16, 2009. (H.O. Exh. 5). Counsel for both parties expressed the desire to engage in mediation and requested an extension of the deadline. (H.O. Exh. 6)

By letter dated June 11, 2009, Attorney Berliner stated that "the parties have negotiated a settlement..." and that he was writing "to withdraw [his] client's request for a hearing, with prejudice." (H.O. Exh. 7)

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As such, and based on the foregoing, this matter is **dismissed with prejudice.**