

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

On behalf of the Parents:

Attorney Andrew A. Feinstein
Attorney at Law, LLC
86 Denison Avenue
Mystic, CT 06355

On behalf of the Board of Education:

Attorney Michelle Laubin
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Attorney Stacy M. Owens, Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

1. Whether the Board failed to provide the Student a free and appropriate public education for the 2009 extended school year and the 2009-2010 school year. *
- a. If so, whether the Parent's unilateral placement of the Student at the Winston Preparatory School is appropriate, thereby entitling them to reimbursement.

** As of the date of the prehearing conference on May 8, 2009, these issues were not ripe for review. The Planning and Placement Team ("PPT") had not met and there was no proposed individualized education plan. The PPT meeting was scheduled for May 12, 2009.*

SUMMARY/PROCEDURAL HISTORY:

On May 1, 2009, the Trumbull Board of Education ("the Board") received a request for hearing from the Parent. (H.O. Exh. 1)

On April 30, 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)

A prehearing conference convened on May 8, 2009. (H.O. Exh. 3) During the prehearing conference, Attorney Andrew A. Feinstein 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 26, 2009, July 9, 2009 and July 10, 2009. (H.O. Exh. 4)

On June 15, 2009, the parties engaged in mediation.

On June 24, 2009, Attorney Feinstein submitted a letter stating that “the parties have resolved their differences although a final agreement has not yet been executed” and that “. . . the parents withdraw their request for due process without prejudice. (H.O. Exh. 5)

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As such, and based on the foregoing, this matter is **dismissed without prejudice.**