

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Trumbull Board of Education

Appearing on behalf of the Parent:

Attorney Marisa A. Mascolo
Attorney Alyce Alfano
Klebanoff & Alfano P.C.
433 South Main Street, Suite 105
West Hartford, CT 06110

Appearing on behalf of the Board of Education:

Attorney Michelle Laubin
Berchem Moses & Devlin P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by the Student via letter dated June 3, 2009. It was received by the Board of Education on June 4, 2009. The 30-day resolution period ran through July 4, 2009. The original deadline for mailing the final decision and order was August 18, 2009.

A pre-hearing conference was held on July 2, 2009. Attorney Marisa Mascolo appeared on behalf of the Student and Attorney Michelle Laubin appeared on behalf of the Board of Education. The issues were identified as follows:

1. Whether the IEP prepared for Student for the 2009-10 school year is appropriate;
2. Whether the Parents' unilateral placement at the Rectory School is appropriate and should be paid for by the Board;
3. Whether the Board should have provided homebound tutoring for Student from the time of the May 19, 2009 PPT through the end of the 2008-09 school year and if so, what shall be the remedy for its failure to do so.

Attorney Mascolo filed a request for a 30-day extension of the mailing date. The request was granted after full consideration of the positions of the parties and the deadline for mailing the final decision and order was extended until September 17, 2009. Hearing dates were scheduled for August 12 and 18, 2009.

The parties participated in mediation on July 15, 2009. Via e-mail dated July 20, 2009, Attorney Alfano indicated that the parties reached an agreement, that they will not proceed to a due process hearing, and that the Student withdraws the request of hearing without prejudice pending execution of the settlement agreement.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.