

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on behalf of the Parents: Attorney Philip J. Cohn
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board: Attorney Marsha Moses
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board violate “child find” by not identifying the Student as requiring special education and related services as defined in the Individuals with Disabilities Education Improvement Act (IDEA)?
If so;
2. Did the unilateral placement of the Student at New Vision, from July 1, 2016 to October 10, 2016 provide a meaningful education?
3. Should the Board reimburse the Parents for their unilateral placement at New Vision?
4. Did the unilateral placement of the Student at Kolob Canyon, from October 13, 2016 to the end of the 2016-2017 school year provide a meaningful education?
5. Should the Board reimburse the Parents for their unilateral placement at Kolob Canyon?
6. Should the Board be responsible for the cost of the psychological assessment by Dr. Correlli?
7. Should the Board be responsible for the cost for the cost of the Psychiatric Evaluation by Dr. Saul?
8. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has not been identified as entitled to receive FAPE as defined in the IDEA 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the finding by the Board that the Student was not eligible to receive FAPE. The Parents requested identification of the Student as eligible for special education and related services. The Board refused the Parents’ request. On January 11, 2017, the Board received notice of the Parents’ request for due process. An impartial hearing officer was appointed on January 17, 2017 and a pre-hearing conference was held on January 26, 2017. The parties agreed to a mediation session. In an electronic transmission, the Parents’ attorney informed the hearing officer that the parties resolve the matter and requested withdrawal of the matter with prejudice. The date for the mailing of the Final Decision and Order was extended to April 26, 2017 to accommodate the hearing date.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.