

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on behalf of the Student: Attorney Jennifer Laviano
The Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny Student a Free Appropriate Public Education for the 2014-2015 school year?
2. Was the District's proposed program for the Extended School Year for the summer of 2015 appropriate, and, if not, what is the appropriate program?
3. Was the District's proposed program for the 2015-2016 school year appropriate and, if not, what is the appropriate program?

PROCEDURAL HISTORY AND SUMMARY:

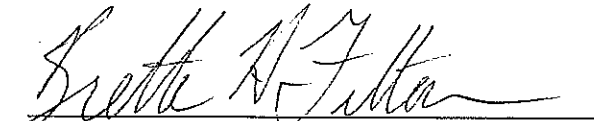
On May 29, 2015, the Board received a Special Education Due Process Hearing Request filed by Student. The undersigned Hearing Officer was appointed on June 1, 2015. During the prehearing conference held on June 10, 2015, the hearing dates of July 27, 2015 and August 25, 2015 were set and the deadline for mailing the Final Decision and Order was established as August 12, 2015. On July 8, 2015, Attorney for the Student requested the postponement of the first hearing date in order to allow the parties to engage in private mediation on that date. On July 13, 2015, Attorney for the Student submitted a request to extend the deadline for the mailing of the Final Decision and Order to accommodate the hearing schedule should the mediation be unsuccessful. The Board did not object to either of Student's requests. After fully considering the position of the parties and all of the relevant factors, both of Student's requests were granted on July 13, 2015. The deadline for the mailing of the Final Decision and Order was extended to September 11, 2015. On July 27, 2015, Attorney for the Student requested a postponement of the August 25, 2015 hearing date. This request was denied. On August 20, 2015, Attorney for the Student sent an email to the Hearing Officer in which she stated the Parents were withdrawing their Special Education Due Process Hearing Request with prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).


Hearing Officer Signature

Brette H. Fitton
Hearing Officer Name in Print