

October 30, 2018

Final Decision and Order 19-0050

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing for the Parents:

Mr. Christopher Tracey  
82 Francis Street  
Trumbull, CT 06611

Appearing on behalf of the Board:

Attorney Marsha Moses  
Berchem & Moses  
75 Broad Street  
Milford, CT 06460

Appearing before:

Kelly Moyher, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the Student denied FAPE for the 2016-2017 and 2017-2018 school years, including ESY for 2017 and 2018?
2. Is the Student being provided with FAPE given the proposed program for the 2018-2019 school year?
3. If not, what is the remedy?
4. Are the Parents entitled to reimbursement of Dr. Cheryl Small-Jackson's evaluation costs?
5. Is the Student entitled to compensatory education and/or any costs or services deemed appropriate by the Hearing Officer?

**PROCEDURAL HISTORY/SUMMARY:**

The Parents filed the Due Process Complaint and Request for Hearing on July 20, 2018. The Hearing Officer was appointed on July 23, 2018. A Prehearing Conference was held on July 26, 2018. The parties agreed on several hearing dates in September and October and kept the Hearing Officer aware of their ongoing negotiations. The parties came together on October 29, 2018 and notified the Hearing officer on the record that a settlement had been reached. The parents stated on the record that they were withdrawing their request for a Due Process Hearing.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED** with prejudice.