

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on Behalf of the Parents: Attorney Howard Klebanoff
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West Hartford, CT 06110

Appearing on Behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2009-2010 school year appropriate and provide the Student with a free and appropriate education (FAPE) in the least restrictive environment (LRE)?
2. Was the Program offered by the Board for the 2010-2011 school year appropriate and provide the Student with FAPE in the LRE? If not;
3. Is the unilateral placement of the Student at Chase Collegiate School appropriate and provide the Student with FAPE in the LRE?
4. Should the Board pay for the transportation of the Student to the unilateral placement?
5. Is the Student entitled to Compensatory Education for the denial of FAPE for the 2009-2010 school year?
6. Is the student entitled to an extended school year for the summer of 2010?

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The Student is 12 years and 5 months old, has been identified with Emotional Disturbance and is entitled to receive a free and appropriate public education ("FAPE") as defined in the Individuals with Disabilities Education Improvement Act (IDEIA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parents rejected the program offered by the Board for the 2010-2011 school year. The Parents requested placement at Chase Collegiate School. The Board refused the Parents' request. On or about August 10, 2010, the Board received notice of the Parents' request for due process. The parties agreed to go to mediation in place of a resolution meeting. Mediation was held on October 20, 2010. An impartial hearing officer was appointed on August 16, 2010 and a prehearing conference was held on September 1, 2010. A hearing date of November 17, 2010 was chosen by the parties. In an electronic

transmission dated October 21, 2010, the Board's attorney advised the hearing officer that the parties were able to resolve the matter and requested time to put the agreement in writing and ratify the agreement. An extension was granted.

On or about November 15, 2010, the parties informed the hearing officer that the matter was ratified and the hearing was withdrawn with prejudice. At the request of the parties, in order to accommodate the mailing of a final decision and order after the hearing dates, the date for the mailing of the Final Decision and Order was extended. The date for mailing the Final Decision and Order is November 23, 2010.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.