

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Trumbull Board of Education v. Student

Appearing on behalf of the Parents: Attorney Jennifer Laviano
Law Offices of Jennifer Laviano, LLC
79 Route 37 South
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Was the triennial evaluation conducted by the District appropriate?

PROCEDURAL HISTORY AND SUMMARY:

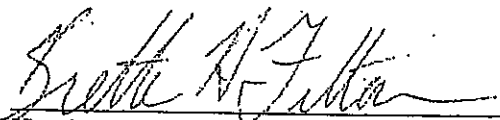
On July 15, 2014, the Parents received a Request for Special Education Due Process Hearing filed by the Trumbull Board of Education. A prehearing conference was scheduled for July 28, 2014. This conference was postponed at the request of Parents, who were in the process of retaining counsel. A prehearing conference took place with Counsel on August 6, 2014, during which the deadline for mailing the Final Decision and Order was established as August 29, 2014. An extension of the deadline was requested on August 18, 2014 by the Board and after a consideration of all the factors this request was granted. The revised deadline for mailing the final decision and order was established as September 28, 2014. A hearing date of September 26, 2014 was then set. On September 16, 2014, Counsel for the Board sent an email to the undersigned Hearing Officer in which she indicated that Parents had withdrawn their request for an Independent Educational Evaluation and as such the Board was withdrawing its hearing request.

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