

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

On behalf of the Parents: Attorney Nora A. Belanger
Law Office of Nora A. Belanger, LLC
10 Wall Street
Norwalk, CT 06850

On behalf of the Board: Attorney Michelle Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing Before: Attorney Stacy M. Owens, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board failed to provide the Student a free and appropriate public education (“FAPE”) from March 2007 through the end of the 2007–2008 school year.
 - a. If not, whether the Parents’ unilateral placement of the Student at the Foundation School from March 2007 through the end of the 2007-2008 school year was appropriate, thereby entitling them to reimbursement.
2. Whether the Board failed to provide the Student FAPE during the 2008-2009 school year.
 - a. If not, whether the Parents’ unilateral placement of the Student at the Foundation School during the 2008-2009 school year was appropriate, thereby entitling them to reimbursement.
3. Whether the individualized education program (“IEP”) developed for the Student’s 2009 Extended School Year is appropriate.
 - a. If not, whether unilateral placement of the Student at the Foundation School is appropriate.

4. Whether the IEP developed for the Student's 2009-2010 school year is appropriate.
 - a. If not, whether unilateral placement of the Student at the Foundation School is appropriate.
5. Whether the Board failed to implement the Student's individualized education program for the 2008-2009 school year.
6. Whether the Student is entitled to related services, including, but not limited to, transportation, for the 2008-2009 school year, ESY 2009 and the 2009-2010 school year.
7. Whether the Parents should be reimbursed for the evaluations conducted by Ms. Joan Jalbert and Dr. Adrienne Smaller.

SUMMARY/PROCEDURAL HISTORY:

On or about March 24, 2009, the Trumbull Board of Education ("the Board") and the State of Connecticut Department of Education received a request for hearing from the Parent. (H.O. Exh. 1)

On March 30, 2008, the undersigned was appointed as hearing officer to preside over the hearing, rule on all motions, determine findings of fact and conclusions of law, and issue an order. (H.O. Exh. 2)

By letter dated April 13, 2009, Attorney Belanger submitted an amended request for hearing, which was discussed during the prehearing conference. (H.O. Exh. 3)

A prehearing conference convened on May 12, 2009. (H.O. Exh. 4) During the prehearing conference, Attorney Nora Belanger appeared on behalf of the Parents; Attorney Michelle Laubin appeared on behalf of the Board. The issues were confirmed and the hearing was scheduled for June 18, 2009, July 13, 2009 and July 14, 2009. (H.O. Exh. 5) Counsel for both parties expressed the desire to engage in mediation and requested an extension of the deadline. (H.O. Exh. 6)

By letter dated May 21, 2009, Attorney Belanger stated that the parties reached an agreement and submitted a written withdrawal on behalf of the Parents and the Student. (H.O. Exh. 7)

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As such, and based on the foregoing, this matter is **dismissed with prejudice**.