

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Trumbull Board of Education

Appearing on behalf of the Student: Parent, *Pro Se*

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

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education offer the student a free appropriate public education for the 2013-2014 School Year?
2. If not, is the Student's unilateral placement appropriate?
3. If so, is the Student entitled to reimbursement for the expenses of the unilateral placement?
4. Is the Student entitled to reimbursement for the evaluation conducted by Parisee?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in the above-captioned matter on May 14, 2014. This Impartial Hearing Officer was assigned to the case on May 15, 2014. A telephonic pre-hearing conference was held on June 3, 2014. Attorney Jennifer Laviano appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Trumbull Board of Education. At that time, hearings were scheduled for July 28, 2014 and August 6, 2014. The deadline for completing the hearings and filing the final decision was established to be July 28, 2014, and it was contemplated that the Student would request an extension of that deadline in order to complete the hearings and allow for briefing.

On July 8, 2014, the Student notified the Impartial Hearing Officer that a mediation that had been scheduled had to be postponed due to a family emergency and that the parties desired to use the date of July 28, 2014 for a rescheduled mediation. The Student also requested that the scheduled hearing dates of July 28, 2014 and August 6, 2014 be postponed in order to allow time for the rescheduled mediation before evidentiary hearings begin. Finally, the Student requested that the deadline for filing the final decision be extended by 30 days.

The Board of Education consented to the Student's requests. The requests were granted and the deadline for filing the final decision was extended to August 27, 2014. In addition, the

Impartial Hearing Officer cancelled the scheduled hearing dates of July 28, 2014 and August 6, 2014.

On July 22, 2014, it came to the attention of the Impartial Hearing Officer that the Student's parents and Counsel for the Student had parted ways and that the Student's parents were without counsel and had cancelled the mediation scheduled for July 28, 2014.

On July 29, 2014, Counsel for the Board of Education requested an additional 30 day extension of time for filing the final decision and order for the purpose of allowing for rescheduling of the mediation and hearing dates. That request was granted and the deadline for filing the final decision and order was extended to September 26, 2014. Hearings were scheduled for September 22, 2014 and September 23, 2014.

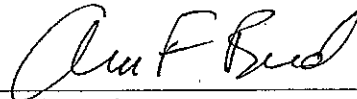
On September 8, 2014, the Student requested that the matter be dismissed without prejudice.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and this matter is dismissed without prejudice.

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



Hearing Officer Name in Print