

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on behalf of the Student: Attorney Jennifer Laviano  
The Law Offices of Jennifer Laviano, LLC  
76 Route 37 South  
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

1. Did the District deny Student a Free Appropriate Public Education ("FAPE") during that portion of the 2014-2015 academic year beginning on October 3, 2014 through the end of the academic year?
2. Did the District deny Student a FAPE for the Extended School Year ("ESY") occurring in summer 2015?
3. Did the District deny Student a FAPE for the 2015-2016 academic year?
4. Did the District deny Student a FAPE for the ESY occurring in summer 2016?
5. Is the District's Individualized Education Program ("IEP") for the 2016-2017 school year appropriate? If the District's IEP is not appropriate, should Student be placed at The Speech Academy at public expense?
6. Is the Student entitled to compensatory education?
7. Did the District commit a violation of Student's rights under the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act by denying Student a FAPE?

**PROCEDURAL HISTORY AND SUMMARY:**

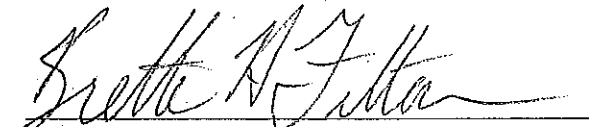
On October 3, 2016, the Board received a Special Education Due Process Hearing Request filed by Attorney for the Student. The Connecticut State Department of Education appointed the undersigned Hearing Officer on October 5, 2016. During the prehearing conference held on October 13, 2016, a hearing date of December 12, 2016 was set and the deadline for mailing the Final Decision and Order was established as December 16, 2016. On December 5, 2016, the Board filed a motion to dismiss Parents' claimed violations of the ADA and Section 504 of the Rehabilitation Act. On December 12, 2016, the hearing was opened and the Attorney for the Parents withdrew the request with prejudice on the record. The motion to dismiss was rendered moot by the withdrawal and thus, not ruled upon.

**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