

March 8, 2013

Final Decision and Order 13-0237

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Trumbull Board of Education

Appearing on behalf of the Parent: Jennifer Laviano, Esq.
Law Offices of Jennifer Laviano LLC
76 Route 37 South
Sherman, CT 06784

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

Appearing before: Mary H.B. Gelfman, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Were the Individualized Education Program (IEP) and special education placement provided to Student by the Board for the 2011-2012 school year appropriate to his special education needs?
2. Were the IEP and special education placement provided to Student by the Board for the 2012-2013 school year appropriate to his special education needs?
3. If either or both IEPs and placements were not appropriate to the Student's special education needs, is placement at the Speech Academy appropriate?
4. Is the Board responsible for funding placement of the Student at the Speech Academy?

PROCEDURAL HISTORY:

This hearing was requested by Parents on November 28, 2012, and the decision date was February 11, 2013. The Hearing Officer was appointed on November 29, 2012. At the pre-hearing conference on December 17, 2012, it was reported that a resolution meeting had not been held and the Parties were considering mediation. The hearing was scheduled for February 1 and 15, 2013, and the Parties requested an extension of the decision date to March 13, 2013, to accommodate the hearing dates.

Mediation was requested and was scheduled for February 1, 2013. The Parties requested that the February 1 hearing session be postponed and that the decision date be extended to provide for mediation. Mediation did not resolve the dispute. The Parties requested postponement of the February 15 hearing session to accommodate a Planning and Placement Team (PPT) meeting. The Hearing Officer extended the decision date to April 12, 2013, and the hearing was re-scheduled to March 13 and 26, 2013.

The Parents' Attorney withdrew the request for hearing on March 1, 2013: the PPT meeting had been postponed because of a snow storm, and additional concerns were being considered.

FINAL DECISION AND ORDER:

The Parents' request for a hearing having been withdrawn, this matter is DISMISSED without prejudice.