

May 10, 2012

Final Decision and Order 12-0241

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Trumbull Board of Education

Appearing on behalf of the Student:

Attorney Marisa Mascolo
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433 South Main Street, Suite 105
West Hartford, CT 06110

Appearing on behalf of the District:

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 2011-2012 school year through August 2012?
2. If not, is Grove School appropriate?
3. If so, is the Student entitled to placement and/or reimbursement for the expense of his placement for the 2011-12 School Year through August 2012?

PROCEDURAL HISTORY

The Student submitted a Request for Impartial Special Education Hearing on February 3, 2012. The Hearing Officer was assigned to the case on February 6, 2012. A telephonic pre-hearing conference was held on February 16, 2012. Hearing dates of April 2, 2012 and April 13, 2012 were scheduled.

On February 21, 2012, Counsel for the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearings and to file the final decision in this case to May 15, 2012. The request was granted and the deadlines were extended to May 15, 2012.

In addition, on February 21, 2012, Counsel for the Student requested that the Hearing Officer cancel the hearing date of April 2, 2012. The request to cancel the hearing date of April 2, 2012 was granted. On April 5, 2012 Counsel for the Student requested that the hearing date of April 13, 2012 be cancelled and that a further pre-hearing conference be scheduled. The request was granted. The hearing date of April 13, 2012 was cancelled and a second pre-hearing conference was conducted on April 13, 2012. A hearing date of May 3, 2012 was scheduled. On May 1, 2012, Counsel for the Student requested that the matter be withdrawn without prejudice.

FINAL DECISION AND ORDER:

It is ordered that this case is dismissed without prejudice.