

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parent:

Phillip Cohn, Esq.
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board:

Michael McKeon, Esq.
Pullman & Comley
90 State House Square
Hartford, CT 06103

Appearing before:

Sylvia Ho, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Student eligible for special education services under the IDEA?
2. Did the Board fail to identify the Student as being eligible for special education services in violation of its child find obligations under the IDEA?
3. Did the Board conduct comprehensive and appropriate evaluations in all areas of suspected disability?
4. Did the Board provide Student with FAPE during the 2012-2013 school year and extended year period?
5. Did the Board offer Student an appropriate education program for the 2012-2013 school year?
6. Is Student's private out of district therapeutic day school placement an appropriate program for Student?
7. Should the Board be required to reimburse the Parents for all expenses, including expenses for Student's hospitalizations?
8. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on January 2, 2014. The Hearing Officer was appointed on January 3, 2014 and conducted a Prehearing Conference on January 17, 2014. The hearing was scheduled for March 3, 2014. On February 21, 2014, the parties jointly requested a postponement of the hearing date because they were near final written agreement of the issues in dispute. The parties' request was granted and the hearing date was postponed to March 14, 2014. On March 7, 2014, the Parent's attorney reported to the Hearing Officer that the parties had finalized their agreement and that the Parent was withdrawing the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with 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

Sylvia Ho
Hearing Officer Name in Print