

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parents: Atty. Howard Klebanoff, Klebanoff & Alfano, P.C.,
433 South Main Street, Suite 102, West Hartford, CT 06110

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

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

The Parents requested this hearing by letter dated May 25 to the Norwalk Board of Education's Director of Special Education. The Board and the State Department of Education ("SDE") received the request on May 29. This Hearing Officer was assigned to the case on May 30. A prehearing conference was held on June 18. The decision deadline was set at August 13, 2007. Hearing dates were agreed on for July 24, 26 and 31. The parties participated in mediation on July 12. On July 13, the SDE advised the Hearing Officer that the parties had not reached an agreement at the mediation, but were continuing settlement discussions and that the Parents' attorney would advise regarding the status of the hearing. On July 13, the Parents' attorney wrote to the Hearing Officer and reported that the parties had scheduled an advisory hearing for July 31 and requested that the July 24, 26 and 31 hearing dates be canceled.

The request for postponement was granted, the hearing was rescheduled for August 15 and the mailing date for the final decision was extended to September 10. On August 1, the Hearing Officer on the advisory hearing sent a notice to this Hearing Officer that the parties had reached a partial resolution on July 31. On August 6, the Board's attorney made a joint request for a postponement of the August 15 hearing so that the parties could continue settlement discussions to reach a final resolution or narrow the issues for the hearing. The request was granted, the hearing was rescheduled for September 10 and the mailing date for the final decision was extended to October 10, 2007. On September 6, the Board's attorney made a joint request to postpone the September 10 hearing for three to four weeks in order to provide additional time for the new Director of Special Education to familiarize herself with the matter. In the event that a postponement was denied, the Parents' attorney would withdraw the case without prejudice. On September

6, the Hearing Officer notified the parties that the September 10 hearing was canceled and that the case would be dismissed without prejudice.

FINAL DECISION AND ORDER

It is ordered that this case shall be dismissed without prejudice.