

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Norwich Board of Education v. Student

Appearing on behalf of the Parent (Mother): Attorney Theresa I. Madonna
Law Office of Theresa I. Madonna, LLC
19 Slater Avenue
Jewett City, CT 06351

Appearing on behalf of the Board: Attorney Linda Yoder
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103

Appearing on behalf of Norwich Free Academy: Attorney Melanie Dunn
Siegel, O'Connor, O'Donnell & Beck, P.C.
150 Trumbull Street
Hartford, CT 06103

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Should the Board be permitted to conduct psychiatric and speech and language evaluations of the Student without the Parent's consent?
2. Was it appropriate for the Board to condition the Student's return to school on his submitting to a search for weapons upon arrival each day?
3. Is the Board required to continue to provide home-bound instruction for the Student because the Parent refused to send him to school?

PROCEDURAL HISTORY:

The Board requested this hearing by sending a form dated November 23, 2009 to the State Department of Education ("SDE"). This Hearing Officer was assigned to the case on December 10, 2009. On December 17, 2009, the SDE advised the Hearing Officer that a mediation was scheduled on December 21, 2009. A prehearing conference was scheduled for December 22, 2009. On December 21, 2009, the Parent's attorney sent a letter to the Hearing Officer stating that the parties had reached an agreement at the mediation. The prehearing conference was canceled. On December 28, 2009, the SDE advised the Hearing Officer of the agreement and stated that the Board's attorney would advise her on the

status of the hearing. On December 29, 2009, the Hearing Officer received a letter from the Board's attorney withdrawing the hearing request without prejudice. The mailing date for the final decision is January 22, 2010.

FINAL DECISION AND ORDER:

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