

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Student: Attorney David C. Shaw
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Appearing on behalf of the Board: Attorney Marsha Belman Moses
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Milford, CT 06460

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Student shall be identified as eligible for special education and related services.
2. Whether the Board failed to identify the Student as eligible for special education and provide special education and related services to him during the 2008-09 and 2009-10.
3. Whether the Board failed to identify the Student as eligible for special education and offer him an appropriate program for the 2010-11 school year.
4. Whether the Board failed to provide the Student an Independent Educational Evaluation at the Parent's request during the PPT meetings on February 23, 2010 and April 23, 2010.
5. Whether the Board committed procedural violations which resulted in a denial of FAPE to the Student in its (a) failure provide an independent educational evaluation without unnecessary delay; (b) failure to allow the Parent to inspect and copy her son's educational records including test protocols and test results; (c) failure to comply with Child Find in connection with the Student's identification under IDEA; (d) failure to complete evaluations and determine eligibility under IDEA promptly and within the timelines specified in state and federal law; (e) failure to consider the independent evaluations presented by the Parent; and (f) depriving the Parent of effective access to the Complaint Resolution Process by failing to provide written materials to and fully cooperate with CSDE during its investigation.
6. Whether the Parent shall be reimbursed for the two independent evaluations as identified in the amended request (Exhibit H.O.-2)
7. Whether the Student is entitled to compensatory education.

SUMMARY:

The Board received the request for hearing on July 29, 2010 and a prehearing conference was convened on August 11, 2010. The hearing convened on September 28, 2010. Subsequent to that hearing date, the Parent's attorney submitted a notice that the parties had reached a settlement agreement that was fully executed. This matter is dismissed, with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, with prejudice.