

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Student: Attorney Andrew Feinstein  
86 Denison Avenue  
Mystic, CT 06355

Appearing on behalf of the Board: Attorney Michael McKeon  
Pullman & Comley LLC  
90 State House Square  
Hartford, CT 06103-3702

Appearing before: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Student is eligible for special education;
2. Whether the Board denied the Student a free appropriate education by failing to evaluate the Student;
3. Whether the Board shall reimburse the Parents for the cost of placement at Winston Prep for the 2012-13 and 2013-14 school year;
4. Whether the Student is entitled to compensatory education.

**PROCEDURAL HISTORY/DISCUSSION:**

This hearing was requested on March 19, 2013 and assigned to Hearing Officer Mary H.B. Gelfman. The case was reassigned to the undersigned hearing officer on June 12, 2013 after Hearing Officer Gelfman recused herself from this hearing.

The initial hearing date of June 19, 2013 was cancelled due to the unexpected family medical issue for the Board's attorney. The hearing convened on June 24, 2013. At the hearing on June 24, 2013 attorneys for both parties were provided an opportunity to continue settlement discussions. The parties agreed in principal to a settlement agreement and the case was continued to July 1, 2013. Prior to the second hearing date, the Parents' attorney submitted notification that the Parents withdraw their request for due process with prejudice. Therefore, this case is dismissed.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**.