

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parent: Attorney Lawrence Berliner
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214E
Westport, CT 06880

Appearing on behalf of the Board: Attorney Michael McKeon
Pullman and Comely, LLC
90 Statehouse Square
Hartford, CT 06105

Appearing before: Robert L. Skelley, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Student eligible for special education services under the Individuals with Disabilities Education Improvement Act ("IDEIA")? If So:
2. Did the Norwalk Board of Education ("Board") fail to provide the Student with a free and appropriate public education ("FAPE") for the 2013-2014 academic years?
3. Did the Board fail to provide the Student with a FAPE for the 2014-2015 academic years?
4. Does the Student require an out of district placement in order to receive a FAPE?
5. If the answer to Issue Number 4 is YES; is the Winston Preparatory School ("WPS") an appropriate placement?
6. Are the Parents entitled to reimbursement for their unilateral placement of the Student at WPS for the 2013-2014 academic years; the 2014 ESY; and the 2014-2015 academic year (to the date of decision)?
7. Are the Parents entitled to reimbursement for the independent educational evaluation ("IEE") conducted by the Dyslexia/ADHD Center of Connecticut?
8. Is the Student entitled to any compensatory educational services?

PROCEDURAL HISTORY:

The Parents, through counsel, filed the request for a due process hearing on June 6, 2014. On June 23, 2014 a prehearing conference was held with the Parties where the issues listed above were identified. The initial due process hearings dates were set for August 6 and August 8, 2014. The Parties engaged in a prehearing resolution meeting, from which the issues were resolved to the satisfaction of the Parties. On July 23, 2014 counsel for the Parents notified the Hearing Officer via email that the Parents wished to withdraw the request for a due process hearing.

FINAL DECISION AND ORDER:

The Parents have requested that this matter be withdrawn. With no further issues to be decided, this matter is DISMISSED.

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

Robert L. Skelley, Esq.

Hearing Officer Name in Print