

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parents: Parents *pro se*

Appearing on behalf of the Board: Michael McKeon, Esq.
Sullivan, Schoen, Campana & Connon, LLC
646 Prospect Avenue
Hartford, Connecticut 06105-4286

Appearing before: Attorney Sylvia Ho, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offered an appropriate program for the 2012-2013 school year?
2. If the answer to Question 1 is no, then should the board be required to follow the recommendations of Dr. Major's report?

PROCEDURAL HISTORY/ SUMMARY:

Parents initiated a Request for Due Process Hearing on October 3, 2012. The mailing date of the Final Decision and Order is December 17, 2012. A prehearing conference was conducted on October 30, 2012. At the telephonic Prehearing Conference on October 30, 2012, the Parents raised an issue of a recent change of placement of Student in that the Board was no longer delivering speech and language services as required by Student's Individualized Education Program ("IEP"). The Hearing Officer scheduled and conducted a pendency hearing on this issue in accordance with 34 C.F.R. §300.518 on November 16, 2012. After the hearing, the Hearing Officer issued a Stay Put Order pursuant to 34 C.F.R. §300.518. The Hearing Officer issued a Notice of Additional Hearing Dates for December 6, 12 and 14, 2012.

On November 30, 2012, the Board's attorney requested a postponement of the hearing and cancellation of the December 6, 2012 hearing date because the parties had arrived at an agreement that had not yet been completely negotiated and executed. The parents had no objection. The Board's request for postponement was denied as untimely under state regulations.

The hearing convened on December 6, 2012. At the hearing, the Parents requested a withdrawal of their Request for Hearing with prejudice.

FINAL DECISION AND ORDER:

The matter is DISMISSED with prejudice.