

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Student:

Andrew Feinstein, Esq.
86 Dennison Avenue
Mystic, CT 06355

Appearing on behalf of the Board:

Michael McKeon Esq.
Sullivan, Schoen, Campana &
Cannon, LLC
646 Prospect Avenue
Hartford, CT 06103

Appearing before:

Attorney Sylvia Ho
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate program for the 2011-2012 school year?
2. Did the Board offer an appropriate program for the 2012-2013 school year?
3. If not, should the Board be required to reimburse Parents for their unilateral placement for Student at Franklin Academy?
4. Should the Board be required to reimburse Parents for the Independent Educational Evaluation conducted by Dr. Laura Seese?
5. Do the circumstances warrant an award of one year of compensatory education for Student?

PROCEDURAL HISTORY/ SUMMARY:

The Student filed and the Board received the Complaint and Request for Due Process Hearing on December 3, 2012. A telephonic prehearing conference was conducted on December 10, 2012 during which the issues were identified. A hearing was scheduled for January 18, 2013. On January 9, 2013, the Student's attorney requested a postponement of the hearing and an extension of the timelines in order to engage in good faith negotiations with the Board. The Board joined in the Student's request. The hearing was postponed to February 8, 2013 and the mailing date of the Final Decision was extended to March 15, 2013. On February 7, 2013, the Student withdrew the matter with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.