

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Student:

Parents, *pro se*

Appearing on behalf of the Board:

Attorney Michele Laubin
Berchem Moses, PC
75 Broad St.
Milford, CT 06460

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Norwalk Public Schools fail to provide a Free and Appropriate Public Education (“FAPE”) for the 2017-18, 2018-19 and 2019-20 school years, including ESY-19, in that Norwalk Public Schools should have provided the Student with an IEP that was based upon the Student's unique needs, that took into account the Parents' concerns for enhancing the Student's education, that took into the professional recommendations that were provided to the school district by Dr. Vyas, that took into account other information presented during meetings, conversations, and/or other communications with the school district, including any related correspondence.
2. Should Norwalk Public Schools have placed the Student at Villa Maria Academy for the 2019-20 school including ESY-19, or offered to reimburse the Parents for the costs of that placement, including tuition, transportation, and any related expenditures?
3. Should Norwalk Public Schools have implemented the professional recommendations from the various evaluators including the professional recommendations provided by Dr. Vyas as set forth in her evaluation report and/or other information presented to the PPT meeting for a program that would meet the Student's unique needs during the 2018-19 and/or 2019-20 school year?
4. Should Norwalk Public Schools should have completed an audiological evaluation as requested by the Parents?
5. Should Norwalk Public Schools have reimbursed the Parents for the cost of their evaluation?

PROCEDURAL BACKGROUND:

Counsel for the Student filed this Request for a Due Process Hearing on June 20, 2019. The Hearing Officer was assigned on June 25, 2019. A Prehearing Conference was scheduled, and held on July 1, 2019. A hearing was scheduled for August 5, 2019, with a date for mailing the final decision of September 3, 2019. The parties requested and were granted extensions of time for a hearing date to September 3, 2019, with a mailing date for the final decision of October 4, 2019. Counsel for the Student withdrew his appearance on August 14, 2019 and appearances were entered for the parents pro se. The parties again moved for extensions to a hearing date of October 2, 2019 and the date for mailing the final decision to November 2, 2019. On September 12, 2019, the parents notified the Hearing Officer that they wished to withdraw the case without prejudice.

FINAL DECISION AND ORDER:

The case is DISMISSED without prejudice.