

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Norwalk Board of Education

Appearing on behalf of the Student:

Attorney Piper Paul
Piper Paul Law
500 Post Road East, Suite #239
Westport CT 06880

Appearing on behalf of the Board:

Attorney Michelle Laubin
Berchem Moses, PC
75 Broad Street
Milford, CT 06040

Appearing before:

Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

The following issues have been identified for determination at the hearing:

1. Did the Board of Education offer the Student a Free Appropriate Public Education for the 2020-2021 School Year, including 2020 ESY?
2. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2020-2021 School Year, including 2020 ESY, is Winston Prep an appropriate program for the Student?
3. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2020-2021 School Year, and Winston Prep is appropriate, should the Student be reimbursed for the expense of Winston Prep and/or be placed there?
4. If the Board of Education did not offer the Student a Free Appropriate Public Education for the 2020-2021 School Year, including 2020 ESY, should the Student be provided compensatory education and if so, of what nature and extent?

PROCEDURAL HISTORY:

The Student initiated this special education due process case on January 27, 2021. This Impartial Hearing Officer was assigned to the case on January 28, 2021. A Prehearing Conference was convened on February 19, 2021. Attorney Piper Paul appeared on

behalf of the Student and Attorney Michelle Laubin appeared on behalf of the Board of Education. It was established that the initial deadline for filing the final decision was April 12, 2021. An evidentiary hearing was scheduled for April 6, 2021.

On March 30, 2021 the Student reported that the parties were in the process of resolving the case and requested cancellation of the hearing and an extension of the timeline to file the final decision to May 12, 2021. The Board of Education agreed and extension was granted.

On May 7, 2021 the Student reported that the parties were continuing to pursue resolution of the case and requested a further extension of the timeline to file the final decision in this case to June 11, 2021. Again, the request was granted.

On June 7, 2021, the Hearing Officer reminded the parties of the June 11, 2021 deadline for issuing the final decision. Neither party responded or requested a further extension of the timeline. Neither party took any steps to prosecute this matter after May 7, 2021.

Accordingly, the matter should be dismissed for failure to prosecute.

FINAL DECISION AND ORDER:

The matter is dismissed for failure to prosecute.