

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 102
West Hartford, CT 06110

Appearing on Behalf of the Board: Marsha Belman Moses, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The student is a 17 years and 1 month young man who has been identified with emotional disturbance and is entitled to receive a free and appropriate public education as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parents rejected the 2004-2005 IEP and requested placement at F.L. Chamberlain School in Middleboro, Massachusetts at the Board's expense and reimbursement for the placement at Ridge Creek in Dahlonega, GA. The Board refused the Parents' request and the Parents requested a Due Process Hearing. On January 25, 2005, a Hearing Officer was appointed. A pre-hearing conference was held on February 7, 2005 and agreed upon hearing date of March 17 and March 22, 2005 were scheduled.

The hearing date of March 17, 2005 was cancelled at the request of the parties. At the March 22, 2005, a letter from the Parents was read on the record advising the hearing officer that the parties had reached an agreement and the hearing request was withdrawn without prejudice. The parties agreed to inform the Hearing Officer when the agreement was executed by all parties, in order that the matter could be withdrawn with prejudice. The notice that the agreement was ratified by all parties was received on May 12, 2005 and the matter is dismissed with prejudice.

The date for the Final Order and Decision was extended by agreement of the parties to May 15, 2005.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITH PREJUDICE.