

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

On behalf of the Parents:

Attorney Howard Klebanoff
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 102
West Hartford, CT 06110

On behalf of the Board of Education:

Attorney Marsha Belman Moses
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Hearing Officer:

Stacy M. Owens, Esq.

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board has offered the Student a free and appropriate public education for the 2007-2008 school year.
2. If not, whether the Parents' unilateral placement of the Student at the Oakley School in Oakley, Utah, was appropriate, thereby entitling the Parents to reimbursement from the Board.

SUMMARY/PROCEDURAL HISTORY:

On June 27, 2008, the State of Connecticut Department of Education received a request for hearing from the Attorney Howard Klebanoff on behalf of the Parents in this matter. (H.O. Exh. 1)

On July 2, 2008, the undersigned was appointed as hearing officer to preside over the hearing, rule on all motions, determine findings of fact and conclusions of law, and issue an order. (H.O. Exh. 2)

A prehearing conference was scheduled for July 17, 2008. During the prehearing conference, Attorney Marsha Belman Moses appeared on behalf of the Board; Attorney Klebanoff appeared on behalf of the Parents. The issues were confirmed and the hearing was scheduled for September 16 and 17, 2008, accommodating the Parties request for postponement of the deadline to engage in mediation. (H.O. Exh. 3)

By memorandum dated August 5, 2008, the undersigned received notice from the State of Connecticut Department of Education indicating the parties reached an agreement at mediation in this matter were scheduled for mediation on September 4, 2008. (H.O. Exh. 4)

On September 5, 2008, the undersigned received a letter from Attorney Klebanoff indicating the parties reached an agreement, and requested the case be dismissed without prejudice pending execution of the agreement. (H.O. Exh. 5)

FINAL DECISION AND ORDER:

As such, and based on the foregoing this matter is dismissed without prejudice.