

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parent:

Lawrence Berliner, Esq.
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214E
Westport, CT 06880

Appearing on behalf of the Board:

Marsha Moses, Esq.
Berchem, Moses & Devlin, PC
75 Broad Street
Milford CT 06040

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board commit procedural violations by failing to consider the Parent's input at a PPT?
2. Did the Board commit procedural violations by engaging in predetermination?
3. If the answers to either question 1 or 2 is in the positive, do the procedural violations constitute a denial of FAPE?
4. Did the Board offer an appropriate program for the 2017-2018 school year?
5. If not, is King School appropriate?
6. If so, should the Board be required to reimburse Parents for payment of tuition and education related expenses, including transportation to King School?
7. If the Board did not offer an appropriate program, do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parents filed the Due Process Complaint and Request for Hearing on November 28, 2017. The Hearing Officer was appointed on November 29, 2017 and conducted a Prehearing Conference on December 11, 2017. The hearing was scheduled for February 2, 2018. On January 26, 2018, the Hearing was postponed to March 2, 2018 for good cause shown upon the request of Parents' attorney. The mailing date of the Final Decision was extended to March 9, 2018. On February 27, 2018 the Parents' attorney reported to the Hearing Officer that the parties had settled their dispute and that the Parents were withdrawing the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.