

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parent: Attorney Thomas Pursell
Attorney at Law
675 State Street
New Haven, CT 06511

Appearing on behalf of the Board: Attorney Michael McKeon
Pullman & Comely, LLC
90 State House Square
Hartford, CT 06103

Appearing before: Robert L. Skelley, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

Did the Norwalk Board of Education fail to provide the Student a free and appropriate public education by failing to provide any services or program when the Student was hospitalized from March, 2013 through May, 2013?

PROCEDURAL HISTORY:

This complaint was filed on June 25, 2013, with a prehearing conference scheduled and held on September 5, 2013 (due to several scheduling issues). The issue above was identified for hearing. The original due process hearing was scheduled for September 25, 2013, which moved the original final due decision and order date from September 9, 2013 to October 9, 2013. Due to a series of family emergencies the due process hearing was rescheduled to October 25, and then to November 12 and finally to December 9, 2013. Each successive rescheduling moved the final decision and order date to its final date of December 22, 2013. On December 6, 2013, with no mediation date yet on the calendar, the hearing officer denied a request to extend the due process hearing for another thirty days. At this point the Parent withdrew the complaint, without prejudice.

FINAL DECISION AND ORDER:

The Parent withdrew the complaint on December 6, 2013 as the parties remained in settlement discussions and claimed there was no mediation date scheduled as yet. The Parents requested, and the Board concurred, that the withdrawal would be without prejudice. With no further issues remaining after the withdrawal, this matter is **DISMISSED** without prejudice.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).


Hearing Officer Signature

Robert L. Skelley, Esq.

Hearing Officer Name in Print