

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parents: Attorney Philip Cohn  
Goldman Gruder and Woods, LLC  
200 Connecticut Avenue  
Norwalk, CT 06854

Appearing on behalf of the Board: Attorney Marsha Moses  
Berchem Moses, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before: Raymond J. Rigat, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District provide the student with FAPE during the 2016-2017 school year, and timely identify the Student as a special education student?
2. Did the District provide the student with FAPE during the 2017-2018 school year, and extended school year period?
3. Did the District provide the student with FAPE during the 2018-2019 school year?
4. If the District failed to provide the student with FAPE during the 2016-2017 and/or 2017-2018 and/or 2018-2019 school years, and/or extended school year periods, does the Discovery School of Virginia, where the parents unilaterally placed the student on September 5, 2018, provide the student with an appropriate program and are the parents entitled to reimbursement by the district for the costs of the tuition and related expenses for the student's attendance in this program?
5. Are the parents entitled to reimbursement for the cost of therapies, not covered by insurance(within the two year statute of limitations period)?
6. Are the parents entitled to reimbursement for the cost of the Menninger Adolescent Treatment program, including, but not limited to, evaluations and educational related counseling.
7. Are the parents entitled to reimbursement for the cost of the psychological assessment by Mark Beitel, Ph.D.?
8. Are the parents entitled to reimbursement for the services of an educational consultant retained by the parents to identify an appropriate private program for the student?
9. Are the parents entitled to reimbursement for the cost of transportation by the parents and the student to Discovery School of Virginia?
10. Is the student entitled to compensatory education for the denial of FAPE?

**PROCEDURAL HISTORY/SUMMARY:**

The Parents brought the Due Process Complaint and Hearing Request on November 13, 2018. The Hearing Officer was appointed on the same day. A Prehearing Telephone Conference took place on November 26, 2019. Following that conference, an initial hearing was scheduled for January 15, 2019.

On December 20, 2019, the Parents requested an extension of the hearing date, and the mailing date. The Board had no objection. On December 22, 2018, the Hearing Officer granted both requests. The mailing date was extended to February 27, 2019. The hearing was continued to February 19, 2019.

On February 11, 2019, the Parents requested an extension of the hearing date, and the mailing date. The Board had no objection. On February 15, 2019, the Hearing Officer granted both requests. The mailing date was extended to March 25, 2019.

On March 25, 2019, the Parents notified the Hearing Officer that the parties reached a settlement agreement, and that the Parents were withdrawing the matter.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**