

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parent:

Attorney Dana Jonson
Law Offices of Dana Jonson, LLC
13 Starr Lane
Bethel, CT 06801

Appearing on behalf of the Board:

Attorney Michael P. McKeon
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702

Appearing before:

Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the program offered by the Board for the 2013-2014 school year appropriate and does it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
2. Is the program offered at The Speech Academy, in Easton, CT, for the 2013-2014 school year appropriate and does it provide the Student with a meaningful education?
3. Should the Parents be reimbursed for the cost of the unilateral placement of the Student at the Speech Academy for the 2013-2014 school year?
4. Is the Student entitled to compensatory education for the Board's denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2013-2014 school year. The Parents requested placement at The Speech Academy, in Easton, CT, for the 2013-2014 school year. The Board refused the Parents' request. On August 15, 2013, the Board received notice of the Parents' request for due process. The parties agreed to forego a resolution meeting and mediate the matter. The mediation date was October 8, 2013. An impartial hearing officer was appointed on August 20, 2013 and a pre-hearing conference was held on August 28, 2013. A hearing date of October 22, 2013 was chosen by the parties.

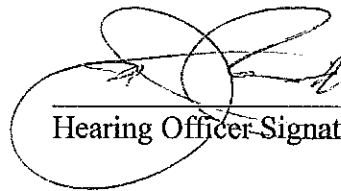
In an electronic transmission, the parties requested a postponement of the hearing date. A hearing date of November 19, 2013 was chosen. At the November 19, 2013 hearing, the parties informed the hearing officer that the matter had been resolved and requested withdrawal. There was no objection by the Board. The date for mailing the Final Decision and Order was extended in order to accommodate the mediation and hearing date. The mailing date for the Final Decision and Order is November 28, 2013.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.

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

Justino Rosado
Hearing Officer Name in Print