

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parents:

Pro Se

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. Does the Student require special education and related services as defined in the Individuals with Disabilities Education Improvement Act (IDEA)? If so;
2. Was the program provided by the Board for the 2014-2015 school year appropriate and does it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?

SUMMARY AND PROCEDURAL HISTORY:

The Student has not been identified as 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 finding that the Student was not eligible to receive special education and related services. The Parents requested that the Student be identified as eligible to receive special education and related services. The Board denied the Parents' request. The Parents filed for due process.

On October 29, 2014, 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 December 10, 2014. An impartial hearing officer was appointed on October 29, 2014 and a pre-hearing conference was held on November 4, 2014. A hearing date of January 7, 2015 was chosen by the parties. At the January 7, 2015, hearing date the parties ratified an agreement and the matter was withdrawn with prejudice.

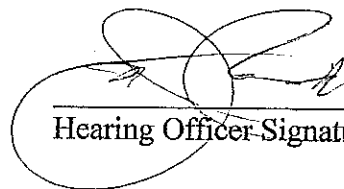
The date for mailing the Final Decision and Order was extended in order to accommodate the mediation and hearing date. The mailing date for the Final Decision and Order is February 11, 2015.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH 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

Justino Rosado
Hearing Officer Name in Print