

**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: Michael P. McKeon, Esq.  
Pullman & Comley, LLP  
90 State House Square  
Hartford, CT 06103-3702

Appearing before: Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the program provided by the Board for the 2015-2016 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. Should the Student attend Lindamood-Bell Learning Center for the 2015-2016 school year in order to receive FAPE in the LRE?
3. Did the Board predetermine the Student's 2015-2016 school year thereby not allowing the Parent to be a meaningful participant of the June 4, 2015 PPT?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in the 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 2015-2016 school year. The Parents requested that the Student attend the Lindamood-Bell Learning Center. The Board refused the Parents' request. On June 8, 2015, the Board received notice of the Parents' request for due process. The parties agreed to go to mediation in place of a resolution meeting. The mediation session was scheduled for July 16, 2015. An impartial hearing officer was appointed on June 10, 2015 and a pre-hearing conference was held on June 26, 2015. The hearing dates chosen by the parties were July 28 and 31, 2015.

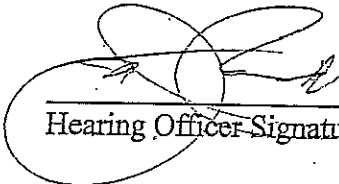
In an electronic transmission, the Board's attorney advised the hearing officer that the parties were able to resolve the issues but the Parents were waiting to receive the final draft of the agreement. On July 21, 2015, the Parent sent an electronic transmission withdrawing the matter. There was no objection by the Board. The date for mailing the Final Decision and Order is August 21, 2015.

**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