

January 29, 2016

Final Decision and Order 16-0198

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parent:

Phillip Cohn, Esq.
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board:

Michael McKeon, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103

Appearing before:

Sylvia Ho, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Does the Student require special education and related services?
2. Did the Board fail to promptly identify Student as a Student with a Disability under the IDEA?
3. If the answer to 1 is in the affirmative, did the Board fail to provide FAPE for the 2014-2015 school year?
4. If the answer to 1 is in the affirmative, did the Board fail to provide FAPE for the 2015-2016 school year?
5. Is True North Wilderness program an appropriate placement for Student?
6. If so, should the Parents be reimbursed for their payment of tuition and education related expenses, including transportation expenses, at True North?
7. Is Telos an appropriate placement for student?
8. If so, should the Parents be reimbursed for their payment of tuition and education related expenses, including transportation expenses, at Telos?
9. Should the Board be required to reimburse Parents for their payment of evaluation, educational consultants and therapies of the Student?
10. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

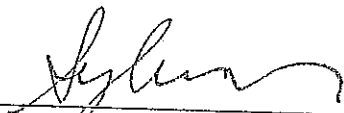
The Parent filed the Due Process Complaint and Request for Hearing on October 13, 2015. The Hearing Officer conducted a Prehearing Conference on October 30, 2015. The Hearing Officer granted the parties' request for extension of the mailing date of the Final Decision to January 26, 2016 so that the parties could engage in voluntary mediation. The hearing was scheduled for January 13, 2016. At the commencement of the hearing, the parties reported that they had an agreement in principle. The hearing was continued to February 1, 2016. The mailing date of the Final Decision was extended to February 26, 2016. On January 28, 2016, the Parent withdrew the Due Process Complaint.

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

Sylvia Ho

Hearing Officer Name in Print