

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on Behalf of the Parents: Attorney Nora Belanger
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10 Wall Street
Norwalk, CT 06850

Appearing on Behalf of the Board: Attorney Marsha Belman Moses
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75 Broad Street
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the Program offered by the Board for the 2009-2010 school year appropriate and did it provide the student with a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) according to 20 U.S.C. §§ 1401 et seq?
2. Was the program offered by the Board for the 2010-2011 school year appropriate and did it provide the student, FAPE in the LRE according to 20 U.S.C. §§ 1401 et seq? If not;
3. Does the program at the Villa Maria school provide the Student with FAPE in the LRE?
4. Should the Board provide the Student with an extended school year for the summer 2010?
5. Should the Board reimburse the Parent for their unilateral placement of the Student at Villa Maria for the 2009-2010 school year?
6. Should the Board reimburse the Parent for the cost of the psychological evaluation, occupational therapy evaluation and the speech and language evaluation of the Student?
7. Should the Board reimburse the Parent for the related services for the 2009-2010 school year and the 2010-2011 school year?
8. Is the Student entitled to Compensatory education for the procedural violations that denied the Student FAPE during the 2009-2010 school year?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is 11 years old, who has been identified as Speech or Language Impaired and is entitled to receive a free and appropriate public education (“FAPE”) as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parents rejected the program offered by the Board for the 2009-2010 school year. The Parents requested placement at Villa Maria School. The Board refused the Parents’ request.

On or about July 27, 2010, the Board received notice of the Parents' request for due process. The parties waived a resolution meeting and decided to go to mediation. Mediation was held on September 27, 2010. An impartial hearing officer was appointed on August 2, 2010 and a pre-hearing conference was held on August 9, 2010. A hearing date of September 30, 2010 was chosen by the parties. The parties informed the hearing officer that the matter had been settled and requested that the matter be dismissed with prejudice. At the request of the parties, in order to accommodate the mediation date, the mailing of a final decision and order was extended. The mailing date for the Final Decision and Order is October 20, 2010.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITH PREJUDICE.