STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student and Norwalk Board of Education and Stamford Board of Education

Appearing on behalf of the Student:	Attorney Jennifer Laviano Law Office of Jennifer Laviano, LLC 76 Route 37 South Sherman, CT 06784
Appearing on behalf of the Norwalk Board of Education:	Attorney Michael McKeon Pullman & Comley LLC 90 State House Square Hartford, CT 06103
Appearing on behalf of the Stamford Board of Education:	Attorney Andreana R. Bellach Shipman & Goodwin LLP 300 Atlantic Street Stamford, CT 06901
Appearing before:	Ann F. Bird, Esq. Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Norwalk Board of Education and/or the Stamford Board of Education offer the Student a free appropriate public education from March 19, 2011 to the present?

2. If not, what remedies are appropriate?

PROCEDURAL HISTORY:

The Student requested an impartial special education hearing in the above-captioned matter against the Norwalk Board of Education on March 19, 2013. The Impartial Hearing Officer was appointed on March 21, 2013. A telephonic prehearing conference, attended by the Impartial Hearing Officer and counsel for the Student and counsel for the Norwalk Board of Education, took place on April 8, 2013. At that time, evidentiary hearings were scheduled for June 19, 2013 and June 20, 2013.

On June 14, 2013, counsel for the Norwalk Board of Education requested postponement of the scheduled hearings. At that time, the Student was in an educational placement of the Student's choice, and the parties were continuing to discuss settlement of the matter. The request was granted, and the hearing dates were postponed.

On June 21, 2013 counsel for the Norwalk Board of Education moved that the Stamford Board of Education be added as a party respondent in this matter. The basis for that motion was that at the time in question, the Student was attending a magnet school operated by the Stamford Board of Education. As such, the Stamford Board of Education might have responsibility for some or all aspects of the Student's educational program. See Connecticut General Statutes Section 10-264l(h.) On June 27, 2013, that motion was granted. Subsequently, the Stamford Board of Education was added as a party to the case.

Additional prehearing conferences were conducted on August 7, 2013 and September 19, 2013, this time also including counsel for the Stamford Board of Education. Evidentiary hearings were scheduled for November 6, 2013 and November 18, 2013. On November 6, 2013, counsel for the Student notified the Impartial Hearing Officer that the matter had been settled in principal, and the parties required additional time to finalize the settlement. The evidentiary hearings were cancelled.

On December 9, 2013, Counsel for the Student requested that the matter be dismissed without prejudice.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and this matter is dismissed without 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

ANN F BIRD

Hearing Officer Name in Print