

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Greenwich Board of Education v. Student

Appearing on Behalf of the Parents: Attorney Andrew Feinstein
Attorney at Law, LLC
86 Denison Avenue
Mystic, Ct 06355

Appearing on Behalf of the Board: Attorney Abby R. Wadler
Assistant Town Attorney
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Were the evaluations performed by the Board appropriate? If not:
2. Should the Board perform independent evaluations as requested by the Parents?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is 5 years and 10 months old and has been identified as Hearing 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. At the May 27, 2010 PPT meeting, the Parents were not in agreement with the evaluations performed by the Board and requested independent evaluations. The Board refused the Parents’ request.

An impartial hearing officer was appointed on June 2, 2010 and a pre-hearing conference was held on June 15, 2010. A hearing date of July 27, 2010 was chosen by the parties. In a letter dated July 12, 2010, the Board informed the Hearing Officer that, at a resolution session, the parties were able to resolve the matter. The Board informed the hearing officer that the matter was withdrawn with prejudice. At the request of the parties, in order to accommodate the filing of a final decision and order after the hearing dates, the date for the filing of the Final Decision and Order was extended. The date for the Final decision and order is August 21, 2010.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.