

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education:

Appearing on behalf of the Parent:

Attorney Meredith C. Braxton
280 Railroad Ave, Suite 205
Greenwich, CT 06830

Appearing on behalf of the Board:

Attorney Abby Wadler
Assistant Town Attorney
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

Appearing before:

Robert L. Skelley, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Greenwich Board of Education (“Board”) fail to satisfy their CHILD FIND obligations in regards to this Student for the 2012-2013 and 2013-2014 school years?
2. Did the Board commit procedural violations by failing to provide Written Prior Notice at/for the April 5, 2013 meeting? If so, did those violations deny the Student a free and appropriate public education (“FAPE”)?
3. Was the Student entitled to an extended school year (“ESY”) program for the summer portion of the 2013-2014 school years?
4. Are the Parents entitled to reimbursement from the Board for the Parental unilateral placement of the Student in the transitional program LINKS?
5. Did the Board offer the Student FAPE through the August 6, 2013 Individualized Education Program (“IEP”)?
6. If the answer to number 5 is NO, then is the unilateral placement of the Student, by the Parents, at CHERRY GULCH an appropriate placement for the Student?
7. If the answer to number 6 is YES; are the Parents entitled to reimbursement for the cost of the unilateral placement of the Student at CHERRY GULCH?
8. If the Board has denied the Student a FAPE for any of the time frame in question in this matter, is the Student entitled to compensatory services and/or programs?

PROCEDURAL HISTORY:

This matter was filed on February 6, 2014 by the Parents. A prehearing conference was held with the Parties on February 21, 2014, during which the issues listed above were identified. An initial due process hearing was set for April 3, 2014. On April 2, 2014, the Parties reported that they were close to an agreement, but had not as yet finalized the agreement. The April 3, 2014 due process hearing date was changed to a second prehearing conference date to allow the Parties to report the status of the matter and to select a hearing date should agreement not be reached. The second hearing date was set for April 25, 2014. On April 21, 2014, the Parents withdrew the matter, in writing via email, without prejudice, pending full execution of the agreement document, whereupon it will be considered to be withdrawn with prejudice.

FINAL DECISION AND ORDER:

On April 21, 2014, the Parents withdrew the complaint, without prejudice. With no further issues to be decided, 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

Robert L. Skelley, Esq.

Hearing Officer Name in Print