

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent:

Attorney Jennifer Laviano
Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board:

Attorney Andreana Bellach
Shipman & Goodwin, LLP
300 Atlantic Avenue
Stamford, CT 06901

Appearing before:

Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board including extended school year (ESY) from April 4, 2014 to the end of the 2013-2014 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Was the program offered by the Board including ESY for the 2014-2015 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Was the program offered by the Board including ESY for the 2015-2016 school year appropriate and did it provide the FAPE in LRE? If not;
4. Should the Board place the Student at The Speech Academy for the 2015-2016 school year including ESY at public expense?
5. Did the Board commit a procedural violation by attempting to force the Parents to mediate the Student?
6. Should the Board reimburse the Parents' for the costs expended from April 4, 2014 to the end of the 2015-2016 school year?
7. Is the Student entitled to Compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism and is entitled to receive FAPE as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents did not agree with the 2015-2016 program and requested placement of the Student at The Speech Academy for the 2015-2016 school year. The Board refused the Parents' request.

On April 4, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on April 5, 2016 and a pre-hearing conference was held on April 28, 2016. The parties agreed to forgo a resolution meeting and mediate the matter. The mediation date was June 13, 2016.

August 24, 2016

Final Decision and Order 16-0442

In an electronic transmission the parties advised the hearing officer that the matter had been resolved and the parties requested additional time to finalize an agreement. In an electronic transmission the Parents' attorney withdrew the matter without prejudice. There was no objection by the Board.

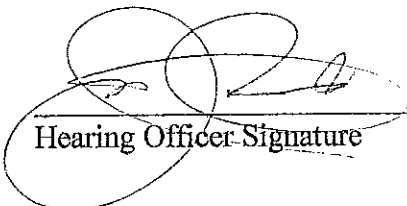
The date for the mailing of the Final Decision and Order is September 2, 2016.

FINAL DECISION AND ORDER:

THE 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

Justino Rosado
Hearing Officer Name in Print