

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parents: Attorney Meredith Braxton
Meredith Braxton, Esq., LLC
280 Railroad Avenue, Suite 205
Greenwich, CT 06830

Appearing on behalf of the Board: Attorney Abby Wadler
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Student entitled to special education and related services as identified in the Individuals with Disabilities Improvement Act (IDEA)? If so;
2. Was the program offered by the Board for the 2015-2016 school year appropriate and would it have provided the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not;
3. Was the unilateral placement of the Student at Eagle Hill appropriate and did it provide a meaningful education?
4. Should the Board reimburse the Parents for the cost of their unilateral placement, including transportation, of the Student?
5. Is the Student entitled to Compensatory Education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student is not identified as 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 rejected the Board's finding that the Student was not eligible to receive special education and related services. The Parents requested that the Student be identified as eligible to receive special education and related services. The Board refused the Parents' request.

On July 13, 2016, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on July 18, 2016 and a pre-hearing conference was held on July

October 26, 2016

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22, 2016. The parties agreed to forego a resolution meeting and mediate the matter. The mediation date was July 26, 2016.

In an electronic transmission, the Parents' attorney advised the hearing officer that the matter had been resolved and an agreement had been executed. The Parents' attorney stated that the matter was withdrawn with prejudice. The mailing of the Final Decision and Order was extended in order to accommodate the parties' mediation. The date for the mailing of the Final Decision and Order is October 26, 2016.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH 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