

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on Behalf of the Parent: Attorney Philip Cohn
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

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

FINAL DECISION AND ORDER

ISSUES:

1. Is the Student eligible to receive special education and related services as defined in Individuals with Disabilities Educational Improvement Act (IDEIA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a? If yes;
2. Does the program offered by the offered by the Board for the 2011-2012 school year provide the Student with a free and appropriate education (FAPE) the least restrictive environment (LRE)? If not;
3. Does the Program Shortridge Academy in New Hampshire provide the Student with FAPE in the LRE?
4. Should the Board reimburse the Parent's for their unilateral placement of the Student at Shortridge Academy for the 2011-2012 school year?

SUMMARY and PROCEDURAL HISTORY:

The Student has not been identified as entitled to receive a free and appropriate public education (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 PPT meeting, the Parents requested that the Student be identified as eligible to receive special education and related services as defined in IDEA and placed at the Stoneridge Academy in New Hampshire. The Board refused the Parents' request.

On January 19, 2012, the Board received notice of the Parents' request for due process. The parties agreed to go to mediation in place of a resolution meeting. An impartial hearing officer was appointed

April 9, 2012

Final Decision and Order 12-0257

on January 23, 2012 and a pre-hearing conference was held on February 13, 2012. Hearing dates of April 4 and 5, 2012 were chosen by the parties.

In an electronic transmission, the Parents' attorney advised the hearing officer that the parties were able to resolve the matter in mediation and that the parties needed additional time to formalize the agreement. On or about April 4, 2012 the Parents' attorney withdrew the matter with prejudice.

The date for the mailing of the Final Decision and Order was extended to accommodate the parties' mediation and the hearing date. The date for mailing the Final Decision and Order is May 3, 2012.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.