

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Greenwich Board of Education

Appearing on behalf of the Student:

Attorney Meredith Braxton
Meredith Braxton Esq., LLC
280 Railroad Avenue, Ste 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:

Ann F. Bird, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Student eligible for special education and/or related services with an identification of “emotional disability?”
2. If so, did the Board of Education violate its “child find” obligation?
3. If so as to Issue No. 1, did the Board of Education offer the Student an appropriate program?
4. If not, is the Solstice Program appropriate for the Student?
5. Is the Student entitled to reimbursement of the expenses of the Solstice program?
6. Did the Board of Education violate Section 504 of the Rehabilitation Act?

PROCEDURAL HISTORY:

The Student requested this special education hearing on June 6, 2013. This Impartial Hearing Officer was appointed to the case on June 7, 2013. A telephonic pre-hearing conference was held on June 18, 2013. Attorney Meredith Braxton appeared on behalf of the Student and Attorney Abby Wadler appeared on behalf of the Board of Education. The deadline for submitting the final decision was established to be August 20, 2013 and hearings were scheduled for July 22, July 26, July 29, July 30, August 29, and August 30, 2013. In addition, the sixth issue was dismissed for lack of subject matter jurisdiction.

A full day of hearing was conducted on July 22, 2013. The Student and the Board of Education each submitted proposed exhibits, many of which were marked as full exhibits. In addition, the Student called several witnesses to testify.

On July 26, 2013, the parties announced that they had reached a tentative settlement and requested that the remaining hearings be cancelled while they finalized the settlement. The parties’ request was granted.

On August 16, 2013, Counsel for the Student submitted a written request for a ten-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to August 30, 2013. The purpose of the requested postponement and extension was to allow time for the parties to finalize their settlement. The requested extension was granted.

On August 17, 2013 Counsel for the Student submitted a written request that the matter be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Student's request for dismissal is granted and this matter is hereby dismissed.