

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on Behalf of the Parents: Attorney Meredith Braxton
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280 Railroad Avenue, Suite 205
Greenwich, CT 06830

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

ISSUES:

1. Was the program offered by the Board for the 2008-2009 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE) as required by 20 U.S.C. §1401 et seq?
2. Was the program offered by the Board for the 2009-2010 school year appropriate and did it provide the Student with a FAPE in the LRE as required by 20 U.S.C. §1401 et seq?
3. Was the program offered by the Board for the 2010-2011 school year appropriate and did it provide the Student with a FAPE in the LRE as required by 20 U.S.C. §1401 et seq?
If not;
4. Does the program at Beacon Hill provide the Student with a FAPE in the LRE as required by 20 U.S.C. §1401 et seq?
5. Should the Board reimburse the Parents for their unilateral placement of the Student at Beacon Hill for the 2010-2011 school year??
6. Should the Board pay the cost of the experts requested by the Parent?
7. Was the Parent a meaningful participant in the Student's PPT for the 2008-2009 school year?
8. Was the Parent a meaningful participant in the Student's PPT for the 2009-2010 school year?
9. Is the Student entitled to compensatory education for the denial of FAPE for the 2008-2009 school year?
10. Is the Student entitled to compensatory education for the denial of FAPE for the 2009-2010 school year?

FINAL DECISION AND ORDER**SUMMARY and PROCEDURAL HISTORY:**

The Student has been identified as Other Health Impaired and is entitled to receive a free and appropriate public education ("FAPE") as defined in the Individuals with Disabilities Education Improvement Act (IDEIA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parents rejected the program offered by the Board for the 2010-2011 school year. The Parents requested placement at Beacon Hill School. The Board refused the Parents' request.

On or about December 1, 2010, the Board received notice of the Parents' request for due process. The parties had a resolution meeting but were unable to reach a resolution and agreed to mediate the matter. Mediation was held on February 1, 2011. An impartial hearing officer was appointed on December 7, 2011 and a pre-hearing conference was held on December 16, 2010. Hearing dates of January 28 and 31, 2011 were chosen by the parties.

In an electronic transmission dated January 18, 2011, Parent's attorney advised the hearing officer that the parties were going to mediation and requested a postponement of the hearing dates to allow time for the mediation. The parties requested an extension of the mailing date. An extension was granted.

In an electronic transmission, the parties informed the hearing officer that the matter was settled and the hearing was withdrawn with prejudice. At the request of the parties, in order to accommodate the mailing of a final decision and order after the hearing dates, the date for the mailing of the Final Decision and Order was extended. The date for mailing the Final Decision and Order is March 16, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.