

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Greenwich Board of Education

Appearing on behalf of the Student: Attorney Phillip Cohn  
Goldman Gruder & Woods, LLC  
200 Connecticut Avenue  
Norwalk, CT 06854-1964

Appearing on behalf of the Board of Education: Attorney Abby Wadler  
Greenwich Town Hall  
101 Field Point Road  
Greenwich, CT 06839

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board of Education offer the Student a free appropriate public education for the period of time between January 2014 and August 31, 2014 as well as for the 2014-2015 School Year?
2. If not, is the Student's unilateral placement appropriate?
3. If so, is the Student entitled to reimbursement of the expenses of the unilateral placement?

**PROCEDURAL HISTORY:**

The Student requested a special education hearing in the above-captioned matter on March 12, 2014. A telephonic pre-hearing conference was held on March 20, 2014. Attorney Phillip Cohn 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 May 23, 2014. Hearings were initially scheduled for April 30, 2014 and May 28, 2014.

On April 9, 2014, Counsel for the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to June 20, 2014. The request was granted.

The April 30, 2014 hearing date was later cancelled at the request of the parties. The hearing on May 28, 2014 was convened. At that time, it was established that several additional days of hearing would be required in order to provide due process. Seven additional hearing dates were scheduled between July 1, 2014 and July 16, 2014. In order to

accommodate the additional hearing dates, the deadline to file the final decision was extended to July 18, 2014.

In addition, at the May 28, 2014 hearing, the Impartial Hearing Officer and the parties agreed that questions regarding the meaning, significance and impact of an earlier settlement agreement between the parties should be addressed before evidentiary hearings were conducted. A briefing schedule was established, and the Impartial Hearing Officer issued an Order re Settlement Agreement on June 8, 2014. The Student then requested clarification of the Order, and the Impartial Hearing Officer issued an Order re Clarification of Order re Settlement Agreement on June 17, 2014.

Also at the hearing on May 28, 2014, the Student submitted proposed exhibits numbered Exhibits P-1 to P-24, which were all entered as full exhibits, except that Exhibit P-18 was partially redacted. The Board of Education submitted proposed exhibits numbered Exhibit B-1 to B-35, which were all entered as full exhibits.

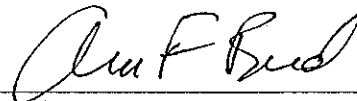
The hearing was reconvened on July 1, 2014. At that time, the parties reported that the parties had resolved the case and the Student requested that the Impartial Hearing Officer dismiss the matter.

**FINAL DECISION AND ORDER:**

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

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

ANN F BIRD

Hearing Officer

Name in Print