

April 6, 2015

Case Number: 15-0300

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Student: Attorney Courtney P. Spencer  
Law Office of Courtney P. Spencer, LLC  
100 Riverview Center, Suite 120  
Middletown, CT 06457

Appearing on behalf of the Board: Attorney Abby Wadler  
Assistant Town Attorney  
101 Field Point Road  
Greenwich, CT 06457

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to provide the Student with a Free Appropriate Public Education ("FAPE") for the portion of the 2012-2013 academic year beginning on January 21, 2013?
2. Did the District fail to provide the Student with a Free Appropriate Public Education ("FAPE") for the 2013-2014 academic year?
3. Was District's program for the 2014-2015 school year appropriate for the Student?
4. If the District's program for the 2014-2015 school year was not appropriate, is an out of district residential placement at the Wellspring School the appropriate placement?
5. Did the District fail to identify the Student for Special Education and Related Services?
6. Did the District fail to conduct appropriate evaluations of Student?

**PROCEDURAL HISTORY AND SUMMARY:**

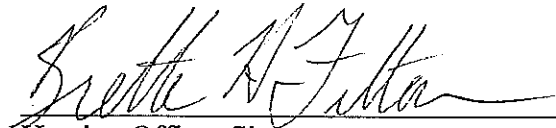
On January 21, 2015, the Greenwich Board of Education received Student's Request for a Special Education Due Process Hearing and the undersigned Hearing Officer was appointed. During the prehearing conference held on February 5, 2015, hearing dates were set and the deadline for the mailing of the Final Decision and Order was established as April 6, 2015. On February 5, 2015, Attorney for the Student filed an Amended Hearing Request. On February 6, 2015, Attorney for the Student requested an extension of the deadline for the Final Decision and Order in order to accommodate the hearing date schedule. This request was granted and the new deadline of May 6, 2015 was established. On March 24, 2015, Attorney for the Parents sent an email to the Hearing Officer in which she indicated that the Parents were withdrawing their hearing request without prejudice.

**FINAL DECISION AND ORDER:**

In light of the above facts, the case 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

Brette H. Fitton  
Hearing Officer      Name in Print