

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent: Attorney Tracey Spencer Walsh  
Mayerson & Associates  
330 W. 38<sup>th</sup> Street, Ste. 600  
New York, New York 10018

Appearing on behalf of the Board: Attorney Andreana Bellach  
Shipman & Goodwin, LLP  
300 Atlantic Avenue  
Stamford, CT 06901

Appearing before: Justino Rosado, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the program offered by the Board for the 2013-2014 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Is the unilateral placement of the Student at the Eagle Hill School in Greenwich, CT, for the 2013-2014 school year appropriate and does it provide the Student with a meaningful education?
3. Should the Board be responsible for the cost of the unilateral placement of the Student including related services and transportation at Eagle Hill School for the 2013-2014 school year?
4. Did the Board commit procedural violations by not allowing the Parents to be meaningful participants of the planning and placement team (PPT) and providing the Student with an individualized education plan (IEP) that spans two school years?
5. Is the Student entitled to Compensatory Education for the denial of FAPE?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Autism and is entitled to receive 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 rejected the program offered by the Board for the 2013-2014 school year. The Parents requested placement at the Eagle Hill School in Greenwich, CT for the 2013-2014 school year. The Board refused the Parents' request.

November 12, 2013

Final Decision and Order Case No. 14-0184

On September 20, 2013, the Board received notice of the Parents' request for due process. The parties agreed to a resolution meeting and to mediate the matter. The mediation date was October 28, 2013.

An impartial hearing officer was appointed on September 19, 2013 and a pre-hearing conference was held on September 27, 2013. A hearing date of November 15, 2013 was chosen by the parties.

In an electronic transmission dated October 28, 2013, the parties advised the hearing officer that at a resolution meeting they were able to resolve the matter but needed additional time to finalize the agreement. On November 5, 2013, the Parents' attorney advised the hearing officer that the agreement had been executed and the matter was withdrawn.

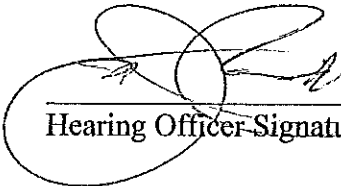
The date for mailing the Final Decision and Order is December 4, 2013.

**FINAL DECISION AND ORDER:**

**THE 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).

A handwritten signature in black ink, appearing to read 'Justino Rosado', is written over a horizontal line. The signature is stylized with loops and a large initial 'J'.

Hearing Officer Signature

Justino Rosado  
Hearing Officer Name in Print