

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent: Attorney Anne Treimanis
Law Offices of Anne Treimanis, LLC
10 Wall Street
Norwalk, CT 06850

Appearing on behalf of the Board: Attorney Abby Wadler
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board from July 29, 2011 to the end of the summer program of 2012 appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)?
2. Was the program offered by the Board for the 2012-2013 school year appropriate and did it provide the Student with FAPE in the LRE?
3. Is the program offered by the Board for the 2013-2014 school year appropriate and does it provide the Student with FAPE in the LRE?
4. Is the Transition Plan offered by the Board appropriate?
5. Does the Student require an education program in the community that includes reading instruction and technological instruction for the 2013-2014 school year in order to receive FAPE?
6. Did the Board commit procedural violations that impeded the Student from receiving FAPE?
7. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified as Other Health Impaired 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 a program in the community for the 2013-2014 school year. The Board refused the Parents' request.

On July 29, 2013, the Board received notice of the Parents' request for due process. The parties agreed to forego a resolution meeting and mediate the matter. The mediation date was October 18, 2013.

November 18, 2013

Final Decision and Order Case No. 14-0077

An impartial hearing officer was appointed on July 30, 2013 and a pre-hearing conference was held on August 6, 2013. A hearing date of October 12, 2013 was chosen by the parties.

In an electronic transmission dated September 22, 2013, the parties requested a postponement of the hearing date in order to accommodate the mediation. A hearing date of November 18, 2013 was chosen.

On October 25, 2013, the Parents' attorney advised the hearing officer the parties had resolved most of the issues but needed additional time to resolve the matter. In an electronic transmission the Parents' attorney advised the hearing officer that an agreement had been reached on all issues and requested that the matter be withdrawn with prejudice. There was no objection by the Board.

The date for mailing the Final Decision and Order was extended in order to accommodate the mediation and hearing date. The mailing date for the Final Decision and Order is November 18, 2013.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.