

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent:

James A. Manzi Jr., Esq.
Foley & Lardner LLP
111 Huntington Avenue Suite 2500
Boston, MA 02199

Appearing on behalf of the Board:

Abby Wadler, Esq.
Greenwich Board of Education
290 Greenwich Avenue
Greenwich, CT 06830

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer an appropriate program for the 2014-2015 school year?
2. Are ESY services required for Student?
3. Is private placement at Sparhawk School appropriate?
4. Does the Student require a residential placement?
5. Should the Board be required to financially support a residential placement at Sparhawk School for Student?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on June 26, 2014. The Hearing Officer was appointed on June 30, 2014 and conducted a Prehearing Conference on July 18, 2014. The hearing was scheduled for September 9, 2014. On August 28, 2014, the Parent's attorney requested a postponement of the hearing date and extension of the mailing date of the Final Decision to continue negotiations of a tentative settlement between the parties. The Parent's request was granted and the hearing was postponed to October 1, 2014 and the mailing date of the Final Decision was extended from September 10, 2014 to October 10, 2014.

The hearing convened on October 1, 2014. The Hearing Request/Due Process Complaint was entered into the record as H.O. Exhibit 1 and the parties' Stipulation of Facts was entered as H.O. Exhibit 2. Parents' exhibits P-1 to P-6 and Board exhibits B-1 to B-18 were entered into the record as full exhibits. The Hearing Officer granted the parties' joint request for additional hearing dates and extension of the mailing date of the Final Decision to continue the hearing. Additional hearing dates of October 20 and October 29, 2014 were scheduled and the mailing date of the Final Decision was extended to November 7, 2014. The Parents presented two witnesses on the first day of the hearing. They were Mother and Kim L. Fitzgerald RN-B.C.FNP.

At the October 20, 2014 hearing, the Board's attorney reported that the parties had engaged in further negotiations and were working on a tentative settlement agreement. The presentation of evidence was postponed to October 29, 2014. On October 29, Parent's attorney reported to the Hearing Officer that the parties had finalized a settlement agreement and that the Parent was withdrawing the Due Process Complaint with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.