

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on Behalf of the Parents: Jennifer D. Laviano, Esq.  
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Appearing on Behalf of the Board: Andreana R. Bellach, Esq.  
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Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the program and related services offered by the Board for the 2004-2005 appropriate and did it provide the student with FAPE according to 20 USC 1401 et seq?
2. Was the extended school year program (ESY) offered to the student for the summer of 2005 appropriate?
3. Should the Board reimburse the parent for the cost of the related services of conductive education, oral motor therapy, occupational therapy, physical therapy, and therapeutic swimming during the 2004-2005 school year?
4. Should the Board reimburse the parent for the cost of the unilateral placement of the student at The Center for Discovery from June 14, 2005 to September 16, 2005?
5. Is the student entitled to compensatory education for the 2004-2005 school year?

**FINAL DECISION AND ORDER**

**SUMMARY:**

The student is a 7 years and 11 month young boy who has been identified as multi-disabled and entitled to receive a free and appropriate public education ("FAPE") as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The parents objected to the level of related services being provided to the student and the ESY program for the summer of 2005. The

parents paid for conductive education, oral motor therapy, occupational therapy, physical therapy, and therapeutic swimming during the 2004-2005 school year and requested that the Board reimburse these expenses. The Board denied the parents' request and the parents filed for a due process hearing.

On or about December 19, 2006, the Board received notice of the request for due process and on or about December 20, 2006 a hearing officer was appointed to hear the matter. The parties agreed to a March 8, 2007 hearing date. Instead of a resolution meeting the parties agreed to mediate the matter.

On or about April 2, 2007 the parties had an agreement in principle and requested additional time to continue trying to resolve the matter. On or about May 4, 2007 the parents' attorney e-mailed the hearing officer that the matter was resolved and the parties had signed the agreement.

At the request of the parties, in order to accommodate the filing of a final decision and order after the hearing dates and the extended mediation, the date for the filing of the Final Decision and Order was extended.

The date for the Final Decision and Order is June 4, 2007.

**FINAL ORDER AND DECISION:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**