

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parents: Attorney Meredith Braxton, Esq., LLC, 280 Railroad Ave., Suite 205, Greenwich, CT 06830

Appearing on behalf of the Board: Attorney Adreana R. Bellach, Shipman & Goodwin LLP, 300 Atlantic St., Stamford, CT 06901-3522

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's program for the Student for the 2006-07 and 2007-08 school year is appropriate.
2. Whether the Student shall have an independent assistive technology evaluation.
3. Whether the Student shall be placed in a year round, full day, 5 days per week program that includes intensive occupational therapy, physical therapy, instruction in activities of daily living and academics by highly qualified and properly trained personnel, such as Giant Steps or CCCD, or a similar program provided by the Board.
4. Whether the Board shall provide the Student with 2 years of compensatory education after the Student attains age 21.

SUMMARY:

The Parents submitted this request for hearing which was received by the Board on February 15, 2008. At the prehearing conference, four hearing days were scheduled for April 2008. On March 20, the Parents' attorney submitted a request to cancel the April 1 hearing date as the parties had reached a tentative agreement and the parties planned to meet on April 1 to execute the agreement. That request was granted. On April 2, the Parents' attorney submitted a request on April 2 that the April 11 hearing date be cancelled, but that the April 22 and 25 hearing dates remain in the event that a complete agreement is not reached. That request was granted.

On April 21 at 5 p.m., the Parents' attorney submitted notification that the parties executed a settlement agreement in the matter, which notification was received by the hearing officer after business hours on the date prior to the scheduled hearing date. That

notification was not submitted in a timely manner for the hearing officer to receive prior to the hearing date, nor with sufficient time to notify parties that the matter was dismissed.

At the hearing on April 22, the parties did not appear. The hearing convened and this matter was dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.