

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent:

Tracey Spencer Walsh, Esq.  
Mayerson & Associates  
330 West 38<sup>th</sup> Street, Suite 600  
New York, NY 10018

Appearing on behalf of the Board:

Susan Freedman Esq.  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before:

Sylvia Ho, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board offer Student an appropriate program for the 2013-2014 school year?
2. Did the Board conduct the appropriate evaluations and assessments of Student in developing the Student's 2013-2014 IEP?
3. Did the Board violate Student's rights to procedural due process?
4. Did the Board violate Student's rights to substantive due process?
5. Is placement at the Foundation School appropriate?
6. If placement at Foundation School is appropriate, then should the Board be required to financially support and reimburse the parents in that placement, including transportation, tuition and education related expenses?
7. Do the circumstances warrant an award of compensatory education?

**PROCEDURAL HISTORY/SUMMARY:**

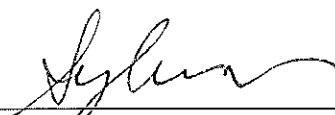
The Parent filed the Due Process Complaint and Request for Hearing on October 1, 2013. The Hearing Officer was appointed on October 1, 2013 and conducted a Prehearing Conference on October 17, 2013. At the Prehearing Conference, the parties reported that they had agreed to engage in voluntary mediation with a state appointed mediator and that the mediation was scheduled for December 11, 2013. The parties jointly requested an extension of the mailing date of the Final Decision to allow enough time for negotiation in good faith. The joint request was granted and the mailing date of the Final Decision was extended to January 10, 2014. The hearing was scheduled for January 7, 2014. On December 27, 2013, the Parent's attorney withdrew the Due Process Complaint without prejudice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED** without prejudice.

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).



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Hearing Officer Signature

Sylvia Ho

Hearing Officer

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Name in Print