

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parents:

Pro Se

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. Is the Student eligible to receive special education and related services as defined in the Individuals with Disabilities Education Improvement Act (IDEA)? If so;
2. Does the unilateral placement of the Student at Spire School in Stamford, CT provide the student with a meaningful education?
3. Should the Board reimburse the Parents for the cost of their unilateral placement of the Student at Spire School?

SUMMARY AND PROCEDURAL HISTORY:

The Student has not been identified as entitled to receive FAPE as defined IDEA 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq. At a planning and placement team (PPT) meeting, the team determined that the Student was not eligible to receive special education and related services as defined in IDEA. The Parents requested a finding of eligibility. The Board refused the Parents' request.

On April 14, 2014, the Board received notice of the Parents' request for due process. The parties agreed to forego a resolution meeting and mediate the matter. An impartial hearing officer was appointed on April 14, 2014 and a pre-hearing conference was held on April 24, 2014. The hearing dates of June 3 and 6, 2014 were chosen by the parties.

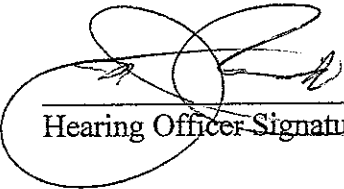
In an electronic transmission the parties requested a postponement of the June 3, 2014 hearing date in order to accommodate the execution of an agreement. In a June 6, 2014 electronic transmission the Parents stated that the agreement had been memorialized and the matter was withdrawn with prejudice. The mailing date for the Final Decision and Order is June 27, 2014.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH 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).



Hearing Officer Signature

Justino Rosado
Hearing Officer Name in Print