

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent: Attorney Jennifer Laviano
Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board: Attorney Abby Wadler
Assistant Town Attorney
300 Atlantic Avenue
Greenwich, CT 06830

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program offered by the Board for the 2014-2015 school year appropriate and did it provide the Student with a free and appropriate public education (FAPE) in the least restrictive environment (LRE)? If not:
2. Was the unilateral placement of the Student at Blind Brook Middle/High School appropriate and did it provide a meaningful education?
3. Was the program offered by the Board for the 2015-2016 school year appropriate and did it provide the Student with FAPE in the LRE? If not;
4. Was the unilateral placement of the Student at Blind Brook Middle/High School appropriate and did it provide a meaningful education?
5. Should the Board reimburse the Parents for their unilateral placement including transportation of the Student Blind Brook Middle/High School for the 2014-2015 school year?
6. Should the Board reimburse the Parents for their unilateral placement including transportation of the Student to Blind Brook Middle/High School for the 2015-2016 school year?
7. Was the program offered by the Board for the 2016-2017 school year appropriate and did it provide the Student with FAPE in the LRE? If not;
8. Should the Student be placed at Blind Brook Middle/High School for the 2016-2017 school year at public expense?
9. Is the Student entitled to Compensatory Education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Specific Learning Disability and is entitled to receive FAPE as defined in the Individuals with Disabilities Education Improvement Act (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 Parents did not agree with the 2016-2017 program. The Parents requested placement of the Student at Blind Brook Middle/High School for the 2016-2017 school year. The Board refused the Parents' request.

December 5, 2016

Final Decision and Order 16-0621

On June 20, 2016, the Board received notice of the Parents request for due process. An impartial hearing officer was appointed on June 20, 2016 and a pre-hearing conference was held on June 29, 2016. The parties agreed to forgo a resolution meeting and mediate the matter. In an electronic transmission the parties advised the hearing officer that the matter had been resolved and the Parents' attorney withdrew the matter with prejudice. There was no objection by the Board.

The date for the mailing of the Final Decision and Order was extended to December 7, 2016 to accommodate the mediation.

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