

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on Behalf of the Parents: Howard Klebanoff, Esq.
Kebanoff & Alfano, P.C.
433 South Main Street, Suite 102
West Hartford, CT 06110

Appearing on Behalf of the Board: Valerie E. Maze, Esq.
Greenwich Law Department
101 Field Point Road
Greenwich, CT 06836

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL ORDER AND DECISION

ISSUES:

1. Is the program offered by the Board for the 2004-2005 school years appropriate?
If not;
2. Is the program offered at Eagle Hill School in Greenwich, CT, provide an appropriate education as defined in 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a? If yes,
3. Is the Board responsible for the cost of the placement of the student at Eagle Hill School in Greenwich, CT.?
4. Did the Parent provide the Board with proper notice of the unilateral placement?

SUMMARY and PROCEDURAL HISTORY:

The student is a 10 years and 9 months young man who has been identified with Speech and Language Impairment and is entitled to receive a free and appropriate public education as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a.

At a PPT meeting held July 26, 2004, the Parents rejected the 2004-2005 IEP and requested placement for the student at Eagle Hill School at the Board's expense and reimbursement for the placement. The Board refused the Parents' request.

On December 9, 2004, the Parents requested a Due Process Hearing and a Hearing Officer was appointed. A pre-hearing conference was held on December 22, 2004 and agreed upon hearing dates of January 13, February 1 and March 9, 2005 were scheduled. Since there were on going negotiations, the parties requested that the hearing dates of January 13 and February 1, 2005 be cancelled. This request was granted by the Hearing Officer. In a letter dated March 2, 2005, the Parents' attorney informed the Hearing Officer that the parties had settled the matter and requested a withdrawal with prejudice. This request was granted by the Hearing Officer. The date for the Final Order and Decision was extended by the parties to April 9, 2005.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITH PREJUDICE.