

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on Behalf of the Parents: Meredith C. Braxton, Esq.
Meredith C. Braxton, Esq., LLC
280 Railroad Ave. Ste. 205
Greenwich, CT 06830

Appearing on Behalf of the Board: Andreana R. Bellach, Esq.
Shipman & Goodwin, LLP
300 Atlantic Street
Stamford, Ct 06901

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the program and related services offered by the Board for the 2005-2006 appropriate and provide the Student with FAPE according to 20 USC 1401 et seq?
2. Was the program and related services offered by the Board for the 2006-2007 appropriate and provide the Student with FAPE according to 20 USC 1401 et seq?
3. Was the program and related services offered by the Board for the 2007-2008 appropriate and provide the Student with FAPE according to 20 USC 1401 et seq? If not:
4. Is the placement of the Student for the 2007-2008 school year at Grove School in Madison, CT appropriate and provide the Student with FAPE in the LRE?
5. Should the Board pay for the residential placement of the Student at Grove School in Madison, CT for the 2007-2008 school year?
6. Is the Student entitled to compensatory education for the 2005-2006 school year?
7. Is the Student entitled to compensatory education for the 2006-2007 school year?

SUMMARY:

This matter was heard as a contested case pursuant to Connecticut General Statute (CGS) §10-76h and related regulations, 20 United States Code §1415(f) and related regulations, and in accordance with the Uniform Administration Procedures Act, CGS §§4-176e to 4-178, inclusive, and 4-181a and 4-186.

The Student is a 17 year young man who has been identified as emotionally disturbed and entitled to receive a free and appropriate public education (“FAPE”) 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 May 25, 2007, the Parents objected to the program being offered the Student for the 2007-2008 school year. The Parents requested a private placement for the Student at Grove School in Madison, CT. The Board denied the Parents’ request and the Parents filed for a due process hearing.

On or about August 24, 2007, the Board received notice of the request for due process and on or about August 24, 2007 a hearing officer was appointed to hear the matter. At an August 29, 2007, pre-hearing conference, the parties agreed to a September 29, 2007 hearing date. The parties sent notice to the hearing officer that they were waiving their right to a resolution session.

On or about September 20, 2007, the Parents e-mailed the hearing officer that the matter was resolved and the parties had signed the agreement. The Parents withdrew their request for due process with prejudice.

The date for mailing of the Final Order and Decision is November 7, 2007.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.