

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parents: Attorney Lawrence W. Berliner
Klebanoff & Alfano, P.C.
433 South Main Street, Suite 105
West Hartford, CT 06110.

Appearing on behalf of Board: Attorney Abby R. Wadler
Assistant Town Attorney
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830.

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board offer a free appropriate public education (FAPE) to the Student after she was identified as eligible for special education and related services at a Planning and Placement Team ("PPT") meeting on December 18, 2008?
2. If not, should the Board have placed the Student at the Grove School or be required to reimburse the Parents for the costs of that program?
3. Should the Board have made a referral to a PPT at any time prior to November 2008 in order to determine whether the Student should be evaluated for special education and related services?
4. If so, are the Parents entitled to an award of compensatory education to remedy that denial of FAPE to the Student for the 2006-2007, the 2007-2008 and 2008-2009 school years?

PROCEDURAL HISTORY:

The Parents' attorney mailed a letter to the Board's Director of Pupil Services and sent a copy to State Department of Education ("SDE") requesting a due process hearing. The Board received the letter on March 13, 2009. The SDE received a copy on March 16, 2009. This Hearing Officer was assigned to the case on March 18, 2009. On that date, Atty. Wadler notified the Hearing Officer that she would be representing the Board. A prehearing conference was held on March 27, 2009. Hearing dates were agreed on for May 6, 2009, May 19, 2009 and May 26, 2009. The mailing date for the final decision was set at May 28, 2009.

On April 16, 2009 the Parents' attorney requested that the May 6, 2009 hearing date be postponed because the parties wanted to reschedule the resolution meeting on that date. The request was granted, the first hearing date was postponed to May 19, 2009 and the mailing date for the final decision was extended to June 19, 2009. On May 6, 2009, the Parents' attorney notified the Hearing Officer that the parties had reached an agreement at the resolution meeting and requested that the due process request be dismissed.

FINAL DECISION AND ORDER:

It is ordered that this case shall be dismissed.