

February 5, 2018

Final Decision and Order 18-0217

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Ed

Appearing on behalf of the Parent:

Attorney Tracey Spencer Walsh
379 West Broadway
New York, New York 10012

Appearing on behalf of the Board:

Attorney Abby Wadler
101 Field Point Road
Westport, Connecticut 06830

Appearing before:

Jane Ford Shaw, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board deny Student a free appropriate public education (“FAPE”) for the 2016-17 school year, including related services and ESY?
2. Did the Board deny Student FAPE for the 2017-18 school year, including related services and ESY?
3. If the Board did not provide Student FAPE for the 2017-18 school year, is the Little Keswick School the appropriate program?
4. If the Board did not provide and/or offer the Student FAPE for the 2016-17 and 2017-18, should the Student be reimbursed for the tuition and related expenses of the Little Keswick School?
5. Is compensatory education an appropriate remedy?

PROCEDURAL HISTORY/SUMMARY:

The Student is entitled to receive a free and appropriate public education in the least restrictive environment as defined in the Individuals with Disabilities Education Improvement Act (“IDEA”) §20 U. S. C. 1401 et seq. and Connecticut General Statutes § 10-76a et seq.

The Parents filed the Due Process Hearing Complaint on November 15, 2017. The Hearing Officer was appointed on November 21, 2017. A prehearing conference was held on December 4, 2017. A Hearing date of January 16, 2018 was scheduled and cancelled with new Hearing dates of February 6, 2018 and February 22, 2018 being scheduled. The Parents withdrew their complaint without prejudice.

FINAL DECISION AND ORDER:

The matter is DISMISSED without prejudice.