

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent: Attorney Gerry McMahon
Law Offices of Gerry McMahon, LLC
98 Mill Plain Road, Ste. 3B
Danbury, CT 06811

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

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the program provided 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. Should the Parents be reimbursed for their unilateral placement of the Student at Eagle Hill School?
3. Is the program provided by the Board for the 2015-2016 school year appropriate and does it provide the student with a FAPE in the LRE? If not;
4. Does the program at Eagle Hill provide the Student with a meaningful education? If so;
5. Should the Parents be reimbursed for their unilateral placement of the Student at Eagle Hill School?
6. Should the Board pay for the evaluation performed by Dr. Kruger?
7. Is the Student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

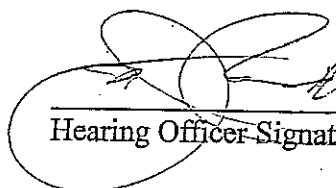
The Student has been identified as having a Specific Learning Disability and is entitled to receive FAPE as defined in the Individuals With Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statutes §10-76a et seq. At a planning and placement team (PPT) meeting, the Parents rejected the program offered by the Board for the 2015-2016 school year and requested reimbursement for their unilateral placement of the Student at Eagle Hill School. The Board refused the Parents' request. On August 21, 2015, the Board received notice of the Parents' request for due process. An impartial hearing officer was appointed on August 21, 2015 and a pre-hearing conference was held on August 26, 2015. The parties agreed to forego a resolution meeting and mediated the matter on October 21, 2015. At the October 29, 2015 hearing date, the parties were able to finalize an agreement and the matter was withdrawn with prejudice. The date for the mailing of the Final Decision and Order was extended to November 4, 2015 to accommodate the hearing date.

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