

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Student: Attorney Lawrence Berliner
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214E
Westport, CT 06880

Appearing on behalf of the Board: Attorney Andreana Bellach
Shipman & Goodwin, LLP
300 Atlantic Street
Stamford, CT 06901

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny Student a Free Appropriate Public Education (“FAPE”) for the 2013-2014 academic year?
2. Did the District deny Student a FAPE for the Extended School Year (“ESY”) in 2014?
3. Did the District deny Student a FAPE for the 2014-2015 academic year?
4. Is the District’s proposed program for the ESY in 2015 appropriate? If the District’s program is not appropriate, what is the appropriate program?
5. Did the District violate Student’s Procedural Safeguards by denying Parents a meaningful opportunity to participate in the development of the Student’s Individualized Education Program and, if so, was the Student denied a FAPE as a result?

PROCEDURAL HISTORY AND SUMMARY:

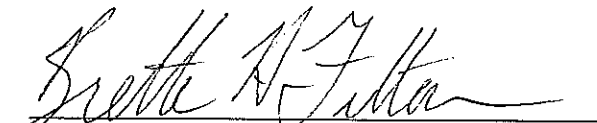
On April 21, 2015, the Greenwich Board of Education received Student’s Special Education Due Process Hearing Request and the undersigned Hearing Officer was appointed. During the prehearing conference held on May 4, 2015, the deadline for mailing the Final Decision and Order was established as Friday, July 3, 2015. A 30 day extension was requested by Attorney for the Student during the prehearing conference in order to allow the parties to engage in further settlement negotiations. This request was granted and resulted in a new mailing deadline of July 31, 2015. Potential hearing dates were discussed during the prehearing conference but not confirmed until after mediation occurred on June 10, 2015, at which time the hearing date was set as August 5, 2015. On June 12, 2015, Attorney for the Student requested another extension of the deadline for the mailing of the Final Decision and Order in order to accommodate the scheduling of the agreed upon hearing date. After a consideration of all of the relevant factors the extension request was granted and a new deadline was established as Friday, August 28, 2015. On July 30, 2015, Attorney for the Student sent an email to the Hearing Officer indicating the matter had settled and Parents were withdrawing their hearing request without prejudice.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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

Brette H. Fitton
Hearing Officer Name in Print