

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Greenwich Board of Education

Appearing on behalf of the Parent:

Phillip Cohn, Esq.  
Goldman, Gruder & Woods, PC  
200 Connecticut Avenue  
Norwalk, CT 06376

Appearing on behalf of the Board:

Abby Wadler, Esq.  
Assistant Town Attorney  
Greenwich Town Hall—Law  
Department  
101 Field Point Road  
Greenwich, CT 06830

Appearing before:

Patrick L. Kennedy, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Has the District committed procedural violations amounting to a denial of FAPE for the 2019-20 school year?
2. Has the District's failure to offer a residential placement to the Student constituted a denial of substantive FAPE for the 2019-20 school year?
3. If there has been a denial of FAPE, has the residential placement at Daybreak Canyon been an appropriate placement for the Student?
4. If there has been a denial of FAPE, is a residential placement at Devereux Glenholme an appropriate placement for the Student?
5. If there has been a denial of FAPE and the program at Daybreak Canyon is appropriate, should the District be ordered to reimburse the Parents for tuition and other costs and expenses incurred for the placement at Daybreak Canyon?
6. If there has been a denial of FAPE and the program at Devereux Glenholme is appropriate, should the District be ordered to place the Student in a residential placement at that school?

7. If there has been a denial of FAPE, should any other relief be ordered?

**SUMMARY AND PROCEDURAL HISTORY:**

Case 20-0376 was commenced by the Parents by request received by the Board on February 25, 2020. A prehearing conference was held on March 4, 2020. At the prehearing conference, hearing dates were set for April 23, 2020; April 27, 2020 and April 28, 2020 and the decision date was determined to be May 8, 2020. The hearings were subsequently cancelled and the decision date extended to August 7, 2020.

On July 31, 2020, the undersigned hearing officer was advised by the attorney for the Parents that the parties had reached a settlement in the case which was in the process of being executed and that the Parents were therefore withdrawing their request for due process.

**FINAL DECISION AND ORDER:**

The matter is dismissed.