

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student and Greenwich Board of Education

Appearing on behalf of the Student: Attorney Meredith Braxton  
280 Railroad Avenue, Ste 205  
Greenwich, CT 06830

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

Appearing before: Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board of Education offer the Student a free appropriate public education for the 2014-2015 School Year?
2. If not, is the Student entitled to compensatory education, including without limitation reimbursement for private services?
3. Was the Student eligible for services between April 22, 2015 and August 6, 2015?
4. If so, is the Student entitled to compensatory education, including without limitation reimbursement for private services?
5. Did the Board of Education offer the Student a free appropriate public education for the 2015-2016 School Year?
6. If not, should the Student's IEP include: a) individual speech and language therapy three times per week for 60 minutes at a time; b) occupational therapy; c) a physical therapy evaluation; d) a functional behavioral assessment by a board certified behavior analyst; and/or e) direct and consulting services by a board certified behavior analyst?
7. If not, is the Student entitled to compensatory education, including without limitation reimbursement for private services?
8. Did the Board of Education offer the Student a free appropriate public education pursuant to Section 504 of the Rehabilitation Act?
9. If not, is the Student entitled to compensatory education, including without limitation reimbursement for private services and is the Student entitled to special education aids and services identified above in Issue 6?

**PROCEDURAL HISTORY:**

The Student requested a special education due process hearing in the above-captioned matter on October 7, 2015. The Impartial Hearing Officer was appointed to hear the case on October 14, 2015. A telephonic pre-hearing conference was conducted on November 2, 2015. Attorney Abby Wadler appeared on behalf of the Board of Education and Attorney Meredith Braxton appeared on behalf of the Student. Evidentiary hearings were scheduled for December 11, 2015 and December 16, 2015.

December 10, 2015

Final Decision and Order 16-0202

On November 12, 2015, the Board of Education submitted a motion to dismiss a portion of the request for due process for lack of subject matter jurisdiction.

On December 8, 2015, the Student notified the Impartial Hearing Officer that the parties reached a final settlement of the matter and requested that the case be dismissed.

**FINAL DECISION AND ORDER:**

It is ordered that the request of the Student for dismissal is granted and this matter 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).

*Ann F Bird*

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Hearing Officer Signature

ANN F BIRD

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Hearing Officer          Name in Print