

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Weston Board of Education

Appearing on behalf of Student:

Attorney Gary S. Mayerson
Attorney Tracey Spencer Walsh
330 West 38th Street, Suite 600
New York, NY 10018

Appearing on behalf of the Board:

Attorney Andreana Bellach
Attorney Christopher Tracey
Shipman & Goodwin, LLP
300 Atlantic Street
Stamford, CT 06901

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student's Attorney via Letter dated October 6, 2010.¹ It was received by the Board of Education ("BOE") on October 6. The thirty-day resolution period ran through November 5 and the original deadline for mailing the final decision and order was December 20.

A pre-hearing conference was held on October 20. Attorney Walsh appeared on behalf of Student and Attorney Bellach appeared on behalf of BOE. The following issues were identified:

1. Did BOE provide Student a free appropriate public education for the 2010-11 school year?
2. If the answer to Issue One is in the negative, should BOE reimburse Parents for Student's private placement for the 2010-11 school year?
3. If the answer to Issue One is in the negative, what shall be the remedy?

The parties agreed to participate in mediation. Hearings were scheduled for December 9 and 15. Via letter dated November 12, Student's Attorney requested an adjournment of the December 9 hearing because she was required to attend a federal court hearing in Florida. The December 9 hearing was postponed.

Via e-mail dated December 1, BOE's Attorney requested a postponement of the December 15 hearing and an extension of the mailing date to allow the parties to complete their settlement negotiations. After fully considering the positions of the parties, the requests were granted. The December 15 hearing was

¹ All dates are 2010 unless otherwise indicated.

postponed and the deadline to mail the final decision and order was extended to January 19, 2011. A hearing was scheduled for January 14, 2011.

Via letter dated December 14, Student's Attorney withdrew the request for due process without prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.