STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Westport Board of Education

Appearing on behalf of Student:	*Pro Se*
Appearing on behalf of the Board of Education:	Attorney Marsha Belman Moses Berchem Moses & Devlin, P.C. 75 Broad Street Milford, CT 06460
Appearing before:	Janis C. Jerman Hearing Officer

FINAL DECISION AND ORDER

A special education hearing was requested by Student's Parents via Request for Impartial Special Education Hearing dated January 3, 2011.[1] It was received by the Board of Education ("BOE") on January 10. The thirty-day resolution period ran through February 9 and the deadline for mailing the final decision and order is March 26.

A telephonic pre-hearing conference was held on January 24. Students' Parents and Advocate, Noreen O'Mahoney, appeared on behalf of Student and Attorney Moses appeared on behalf of BOE. The following issues were identified:

1. Did BOE timely and appropriately evaluate Student? If not, what shall be the remedy?
2. Did BOE provide Student with a free appropriate public education during the 2010-11 school year? If not, what shall be the remedy?
3. If the answer to Issue Two above is in the negative, is Student's unilateral placement appropriate?
4. If the answer to Issue Three above is in the affirmative, shall BOE be required to reimburse Student's Parents for the cost of the unilateral placement?
5. Did BOE violate Student's procedural safeguards by failing to provide Students' Parents with clear and accurate information regarding Student's academic progress?
6. If the answer to Issue Five above is in the affirmative, what shall be the remedy?

[1] All dates are 2011 unless otherwise indicated.

The parties agreed to participate in mediation. Hearings were scheduled for March 10 and 11. The parties came to an agreement and via letter dated February 27, Student's Parents withdrew the request for hearing with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.