

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student<sup>1</sup> v. Westport Board of Education

Appearing on behalf of Student:

Attorney Elizabeth Moyse  
Law Offices of Jennifer Laviano LLC  
76 Route 37 South  
Sherman, CT 06784

Appearing on behalf of the Board of Education:

Attorney Megan Buxton  
Berchem Moses & Devlin PC  
75 Broad Street  
Milford, CT 06460

Appearing before:

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 August 20, 2014.<sup>2</sup> It was received by the Board of Education ("BOE") on August 20. The 30-day resolution period ends September 19. The deadline to mail the final decision and order is November 3.

The following issues are identified in the request for due process:

1. Did the Board of Education provide Student with a free appropriate public education during the 2012-13 school year?
2. Did the Board of Education provide Student with a free appropriate public education during the 2013 extended school year?
3. Did the Board of Education provide Student with a free appropriate public education during the 2013-14 school year?
4. Did the Board of Education provide Student with a free appropriate public education during the 2014 extended school year?
5. If the answer to any of the above Issues One through Four is in the negative, what shall be the remedy?

A telephonic pre-hearing conference was scheduled for August 29. On August 26, Student's Attorney indicated in writing that the parties participated in mediation, that they entered into a settlement agreement, and that Student's Parents request that the matter be dismissed with prejudice.

**FINAL DECISION AND ORDER**

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


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<sup>1</sup> In order to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA") and related regulations at 34 CFR § 99, this decision uses "Student", "Parents", "School" and titles of school staff members and certain other witnesses in place of names and other personally identifiable information.

<sup>2</sup> All dates are 2014 unless otherwise indicated.

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

JANIS C. JERMAN

Hearing Officer

Name in Print