

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Westport Board of Education and Student

Appearing on behalf of the Westport  
Board of Education:

Attorney Megan Buxton  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing on behalf of the Student:

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

Appearing before:

Attorney Ann F. Bird  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

Was the triennial evaluation conducted by the Board of Education appropriate?

**PROCEDURAL HISTORY:**

The Board of Education requested a special education due process hearing in the above-captioned matter on May 28, 2014 in order to defend its triennial evaluation of the Student in the face of the Student's request for an independent educational evaluation at public expense. This Impartial Hearing Officer was assigned to the case on May 29, 2014. A telephonic pre-hearing conference was conducted on June 20, 2014. Attorney Megan Buxton appeared on behalf of the Board of Education. Attorney Elizabeth Moyse appeared on behalf of the Student.

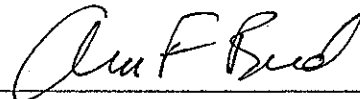
During the conference on June 20, 2014, the Student reported that the request for an independent educational evaluation at public expense was withdrawn. In turn, the Board of Education requested that the Impartial Hearing Officer dismiss the matter.

**FINAL DECISION AND ORDER:**

It is ordered that the Board of Education's request 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).



Hearing Officer Signature

Ann F Bird

Hearing Officer

Name in Print