

September 16, 2013

Final Decision and Order 13-0504

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Westport Board of Education

Appearing on behalf of the Student:

Attorney Phillip Cohn
Goldman Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 0854-1964

Appearing on behalf of the Board:

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

Appearing before:

Ann F. Bird, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education offer the Student an appropriate program since May 23, 2011?
2. If not, is the Greenbriar Academy an appropriate placement for the Student?
3. If the response to Question No. 1 is negative, were past unilateral placements at Renfrew Greenwich, Renfrew Philadelphia, Mirasol Eating Disorder Recovery Center and/or Silver Hill appropriate?
4. Did the Board of Education properly and timely fulfill its Child Find obligations with respect to the Student since May 23, 2011?
5. Is the Student entitled to compensatory education or any other remedy relating to the time since May 23, 2013?

PROCEDURAL HISTORY:

The Student requested a special education hearing in the above-captioned matter on May 23, 2013. This Hearing Officer was appointed on May 29, 2013. A telephonic pre-hearing conference was held on June 10, 2013. The deadline for submitting the decision was established to be August 6, 2013, and hearings were scheduled for July 9, 2013 and July 24, 2013.

On July 2, 2013, Counsel for the Student reported that the parties were pursuing settlement and requested that the hearings be postponed and the deadline for submitting the decision in this matter extended. These requests were granted.

On August 23, 2013, Counsel for the Student reported that the parties reached a settlement in principal and required time to document their agreement. On September 12, 2013, Counsel for the Student reported that the parties finalized their settlement agreement and requested that the matter be dismissed with prejudice.

FINAL DECISION AND ORDER:

The Student's request for dismissal is granted and this matter is hereby dismissed with prejudice.