

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Easton Board of Education

Appearing on behalf of the Parents:

Attorney Marisa Mascolo
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433 South Main Street, Suite 105
West Hartford, CT 06110

Appearing on behalf of the Board:

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

Appearing before:

Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board's program for the Student for ESY 2010 and the 2010-11 school year was appropriate;
2. If not, whether the Parents' placement of the Student at Winston Prep for ESY 2010 and the portion of the school year during which the Student attended Winston Prep during the 2010-11 school year is appropriate and shall be reimbursed, including the cost of transportation;
3. Whether the Board provided FAPE to the Student for ESY 2011 and for the 2011-12 school year;
4. If not, whether the Parents' placement of the Student at Winston Prep for ESY 2011 and the 2011-12 school year is appropriate and shall be reimbursed, including the cost of transportation;
5. Whether the Student is entitled to compensatory education.

PROCEDURAL HISTORY/DISCUSSION:

This request for hearing was received by the Board on August 29, 2011 and a prehearing conference convened on September 8, 2011. Subsequently, the Parents' attorney reported that the parties were unable to resolve this matter through a resolution session, and requested a second prehearing conference to schedule additional hearing dates. The second prehearing conference convened on October 11, 2011.

On October 20, 2011 the hearing convened. At the hearing, counsel for both parties engaged in settlement discussions, and then requested that the case continue to another hearing date to provide the parties time to finalize the settlement. An extension of the mailing date was requested and granted, and the matter was scheduled to continue on a second hearing date. On November 7, 2011 prior to the second hearing date, the Parents' attorney submitted notification that this settlement was finalized. Therefore, this case is dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.