

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education¹

Appearing on behalf of Student:

Pro Se

Appearing on behalf of the Board of Education:

Attorney Marsha Moses
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 Parents via a Request for Impartial Special Education Hearing dated April 18, 2016.² A pre-hearing conference was scheduled for May 9. The Board of Education ("BOE") was not available on that date and indicated that they believed that the matter was resolved. On May 12, Student's Parents requested in writing that the case be dismissed with prejudice.

ISSUES:

The Request for Hearing identifies several issues under the following broader issues:

1. Did the Board of Education provide Student with a free appropriate public education?
2. If the answer to Issue One is in the negative, what shall be the remedy?

FINAL DECISION AND ORDER

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

¹ 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" and "Student's Mother" in place of names and other personally identifiable information.

² All dates are 2016 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