

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student and Westport Board of Education

Appearing on behalf of the Board of Education:

Attorney Marsha Moses
Berchem, Moses & Devlin PC

Appearing on behalf of the Student:

Attorney Piper Paul
Law Office of Piper A. Paul, LLC
P.O. Box 126
Westport, CT

Appearing before:

Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board of Education offer the Student a free appropriate public education for the 2015-2016 School Year?
2. If not, is the Easton Country Day School appropriate for the Student?
3. If so, is the Student entitled to reimbursement for the expense of the Easton Country Day School including transportation?

PROCEDURAL HISTORY:

The Student requested a special education due process hearing in this case against the Westport Board of Education on February 10, 2016. The Impartial Hearing Officer was appointed to hear the case on February 10, 2016. Prehearing Conferences were conducted on February 26, 2016 and April 25, 2016. Attorney Piper Paul appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education. An evidentiary hearing was scheduled for April 15, 2016.

On March 15, 2016, the Student requested that the April 15, 2016 hearing be cancelled so that the parties could mediate on that day. The Board of Education agreed and the hearing date was cancelled. On April 18, 2016 the Student reported that the mediation had not been successful. Accordingly, a second conference was conducted on April 25, 2016 to reschedule the hearing. The parties and the Hearing Officer agreed on a series of dates for the hearing commencing on May 23, 2016 through July 7, 2016.

On April 25, 2016 the Student submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to May 25, 2016. The purpose of the requested postponement and extension was to accommodate the hearing schedule and afford the parties due process. The Board of Education agreed to the requested postponement and it was granted.

May 24, 2016

Final Decision and Order 16-0346

On May 19, 2016, the Student reported that the case had been settled and requested that the matter be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Student'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