

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on behalf of the Student: Attorney Lawrence Berliner  
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Appearing on behalf of the Board: Attorney Christopher Tracey  
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300 Atlantic Street, 3rd Floor  
Stamford, CT 06901-3522

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District fail to provide Student with a free appropriate public education (“FAPE”) for that portion of the 2015-2016 school year beginning on April 23, 2016 through the end of the academic year?
2. Did the District fail to provide Student with a FAPE in the least restrictive environment (“LRE”) for the 2016-2017 school year?
3. Was the District’s proposed individualized education program (“IEP”) for the 2017-2018 school year appropriate? If the IEP was not appropriate, does Villa Maria Academy provide an appropriate program and are Parents entitled to reimbursement for tuition, transportation and related costs for Student’s enrollment?
4. Are parents entitled to reimbursement for the costs of Dr. Cohen’s participation at the planning and placement team (“PPF”) meeting held on October 19, 2017?
5. Is the Student entitled to compensatory education?

**PROCEDURAL HISTORY AND SUMMARY:** On April 22, 2018, the Weston Board of Education received a request for a special education due process hearing filed by the Parents. On April 26, 2018, the State of Connecticut Department of Education appointed the undersigned hearing officer to preside over the case. A prehearing conference was held on May 4, 2018.

During this conference, the deadline for mailing the final decision and order was established as July 6, 2018 and June 14, 2018, June 26, 2018, June 27, 2018 and June 28, 2018 were set as the hearing dates. On June 6, 2018, Parents requested a postponement of the scheduled hearing dates and an extension of the mailing deadline to accommodate ongoing settlement negotiations. On June 12, 2018, these requests were granted and a new hearing date of July 13, 2018 was set and the new mailing deadline was established as August 3, 2018. On July 13, 2018, the hearing was opened and the Attorney for the Board indicated that the matter had settled and confirmed that their understanding that the Parents had withdrawn their request for a due process hearing with prejudice, as indicated in an email sent to the hearing officer by Attorney for the Parents in the evening on July 11, 2018.

**FINAL DECISION AND ORDER:** In light of the above facts, the case is dismissed.