

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Westport Board of Education

Appearing on behalf of the Student: Parents, *Pro Se*

Appearing on behalf of the Board of Education: Attorney Marsha Belman Moses
Berchem Moses & Devlin
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by the Student via Request for Impartial Due Process Hearing dated June 4, 2010.¹ It was received by the Board of Education on June 2. The thirty-day resolution period ran through July 2 and the original deadline for mailing the final decision and order was August 16, 2010.

A pre-hearing conference was held on June 30. Student's Mother and Student's Father appeared on behalf of Student and Attorney Moses appeared on behalf of the Board of Education. The following issues were identified:

1. Did the Board of Education provide Student with an appropriate Individualized Education Program from May 21, 2010 to the end of the 2009-10 school year?
2. Did the Board of Education propose an appropriate Individualized Education Program for Student for the 2010-11 school year?
3. If the answer to any of the above questions is in the negative, what shall be the remedy?

Via letter dated July 2, Attorney Moses requested a 30-day extension of the mailing date to permit adequate time to schedule mutually agreeable hearing dates and to permit the parties to engage in good faith settlement negotiations. Student's Parents filed multiple objections to the request for an extension but also indicated that they would accept an extension under certain circumstances to engage in settlement negotiations.

After fully considering the positions of the parties, the request for a 30-day extension of the mailing date was granted and the deadline for mailing the final decision and order was extended until September 15, 2010. A hearing was scheduled for August 12.

¹ All dates are 2010 unless otherwise indicated.

The parties participated in mediation on July 21. On July 29, Student's Parents indicated in writing that they settled the matter and requested to withdraw the case with prejudice.

FINAL DECISION AND ORDER

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