

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parent:

Phillip Cohn, Esq.
Goldman, Gruder & Woods, LLC
200 Connecticut Avenue
Norwalk, CT 06854

Appearing on behalf of the Board:

Marsha Moses, Esq.
Berchem Moses, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Patrick L. Kennedy, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District deny FAPE to the Student by failing to offer him an appropriate program for the 2018-19 school year and 2019 ESY?
2. Did the District deny FAPE to the Student by failing to offer him an appropriate program for the 2019-20 school year?
3. If the District has denied FAPE to the Student for the 2019-20 school year, is the Valley View School an appropriate placement for the Student?
4. If the District has denied FAPE to the Student for the 2019-20 school year and the Valley View School is an appropriate placement, should the District be ordered to pay for the placement of the Student at that school and reimburse the Parents for expenses already incurred for said placement?
5. If there has been a denial of FAPE, should the District be ordered to reimburse the Parents for other educational expenses incurred as outlined in the Hearing Request?
6. If there has been a denial of FAPE, should compensatory education be ordered?
7. Does the hearing officer have jurisdiction to hear and determine the claim made

by the Parents that the District violated the Student's rights under Section 504 of the Rehabilitation Act?

8. If so, did the District violate the Student's rights under Section 504 of the Rehabilitation Act?

SUMMARY AND PROCEDURAL HISTORY:

Case 20-0219 was commenced by the Parents by request received by the Board on November 15, 2019. A prehearing conference was held on November 27, 2019. At the prehearing conference, hearing dates were set for January 23, 2020 and January 30, 2020 and the decision date was determined to be January 29, 2020. The hearing dates were later cancelled and the decision date extended to February 28, 2020.

On February 19, 2020, the undersigned hearing officer was advised by the attorney for the Parents that the parties had reached a settlement in the case and that the matter should therefore be dismissed with prejudice.

FINAL DECISION AND ORDER:

The matter is dismissed with prejudice.