

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on behalf of the Parent:

Lawrence Berliner, Esq.
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214-E
Westport, CT 06880

Appearing on behalf of the Board:

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

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide an appropriate program for the 2020-21 school year and extended school years for 2020?
2. Did the Board commit procedural violations by predetermining Student's IEPs by failing to consider the recommendations of staff and evaluators at The Speech Academy, or commit any other procedural violations and if so, did these procedural violations result in loss of educational opportunity for Student?
3. Did the Board deny Parents meaningful participation in developing Student's 2020-2021 IEP, and if so, did this procedural violation result in loss of educational opportunity for Student?
4. Did the Board change the Student's placement without convening an IEP meeting, and if so, did this procedural violation result in loss of educational opportunity for Student?
5. Did the Board promptly evaluate Student in all areas of suspected disabilities and if not, did this procedural violation result in loss of educational opportunity for Student?
6. If any answer to issues #1 and/or #2 and/or #3 and/or #4 and/or #5 above is in the affirmative, should the Student be placed at The Speech Academy?
7. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on August 19, 2020. The Hearing Officer was appointed on August 20, 2020 and conducted a Prehearing

Conference on September 22, 2020. The hearing was scheduled for October 29, 2020. On October 12, 2020, the Parents' attorney requested a postponement and extension of the mailing date of the Final Decision because the parties had scheduled a mediation. The request was granted. The hearing was postponed to November 24, 2020 and an extension of the mailing date was granted at the request of the parties to December 4, 2020 to continue the hearing. At the November 24, 2020 hearing, the Parents withdrew the Hearing Request with prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.