

February 5, 2021

Final Decision and Order 21-0179

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on behalf of the Student:

Attorney Piper Paul
Law Office of Piper Paul LLC
500 Boston Post Road East, #239
Westport, CT 06880

Appearing on behalf of the Board:

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

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

The Student claims the Board failed to provide her with a Free and Appropriate Public Education (“FAPE”) during the 2019-2020 school year.

The Student claims that she was denied FAPE during the 2019-2020 school year due to her inability to access her education once learning became virtual and should not be penalized educationally due to her known disabilities and inability to access her education virtually.

The Student claims she is entitled to have her failing grades changed to “incomplete” and be allowed to complete the coursework with new instruction.

The Student claims she should receive compensatory education and other relief due to the denial of FAPE.

PROCEDURAL BACKGROUND:

The Student filed this Request for a Due Process Hearing on November 10, 2020. in the form of a Request for Mediation which was considered a Request for Hearing. The Hearing Officer was assigned

on November 12, 2020. A Prehearing Conference was scheduled and held on November 17, 2020. A hearing date of January 12, 2021 was set and the date for mailing the final decision was determined to be February 10, 2021. These hearing dates and date for mailing of the final decision were scheduled with regard to Connecticut State Executive Order 9L, in force at the time of scheduling. The parties expressed their intention to engage in mediation and settlement discussions. Thereafter, the parties reported they had reached an agreement but needed more time to draft and execute settlement documents. By mutual request, the hearing date was continued to February 12, 2021 and the mailing date extended to March 10, 2021. Counsel for the Student notified the Hearing Officer on February 3, 2021 that an acceptable settlement had been reached, and this case has been withdrawn with prejudice by agreement.

FINAL DECISION AND ORDER:

The case is DISMISSED with prejudice.