

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parents: Attorney Jennifer Laviano
The Law Offices of Jennifer Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on behalf of the Board: Attorney Marsha Belman Moses
Berchem, Moses & Devlin, P.C.
73 Broad Street
Milford, CT 06460

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board failed to meet its child find obligations for the 2008-09 school year by failing to locate, evaluate and identify the Student as a child with a disability;
2. Whether the Board failed to meet its child find obligations for the 2009-10 school year by failing to identify the Student as a child with a disability;
3. Whether the Board denied the Student a FAPE for the 2008-09, 2009-10 and 2010-11 school years by failing to offer the Student a program that provided specialized instruction and adequate support to meet her social/emotional, behavioral and academic needs;
4. Whether the Board denied the Student a FAPE for the 2008-09, 2009-10 and 2010-11 school years by violating her procedural safeguards;
5. Whether the Parents shall be reimbursed for the Student's attendance at the Wellspring Program during the 2009-10 school year and all costs associated with the Student's attendance at Wooster School for the 2009-10 and 2010-11 school year;
6. Whether the Parents shall be reimbursed for the cost of the neuropsychological evaluation conducted by Lauren Riordon, Ph.D., the psychiatric evaluation conducted by Dr. Ilana Karpenos, the educational evaluation conducted by Patricia Thomas and the costs for therapeutic services provided by the Dialectical and Cognitive Behavioral Therapy Center;
7. Whether the Student is entitled to compensatory education.

PROCEDURAL HISTORY/DISCUSSION:

This request for hearing was received by the Board on February 11, 2011. A prehearing conference convened on March 9, 2011. A request for extension of the mailing date of the decision was granted so that the parties could mediate the case.

Prior to the convening of the first hearing date, the Parents' attorney submitted a notification that the parties had resolved the case, and therefore requested the due process matter be withdrawn without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**, without prejudice.