

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parents: Attorney Howard Klebanoff
Klebanoff & Phelan, P.C.
Corporate Center West
433 South Main Street – Suite 102
West Hartford, Connecticut 06110

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

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board offered the Student an appropriate program for the 1999-2000 school year.
2. If not, whether the Parents' placement of the Student at DeSisto School for the 1999-2000 school year was appropriate.

PROCEDURAL HISTORY:

The matter was assigned on August 14, 2001. The prehearing conference was held on August 17. The parties each requested extensions of the mailing date of the decision, which were granted. The hearing convened on October 4, 2001. The Student had reached the age of the transfer of rights pursuant to 34 C.F.R. Sec. 300.517. At the hearing, the Parents' counsel submitted a consent from the Student which authorized the Parents to prosecute the action. (Exhibit P-10) Thereafter, at the October 4 hearing, the Parents' counsel and the Board's counsel reported that the matter had been settled.

FINAL DECISION AND ORDER:

The matter is **DISMISSED, with prejudice.**

