

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parent: Attorney Dana A. Johnson, 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., 75 Broad Street, Milford, CT 06460.

Appearing before: Attorney Elisabeth Borrino, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the Board failed to provide FAPE during the 2006-2007, 2007- 2008, and proposed 2008-2009 school years;
2. Whether the Board violated the procedural safeguards;
3. Whether the Parents should be reimbursed for expenses incurred as a result of the Board's failure to offer or provide FAPE;
4. Whether the Student requires an out of district placement;
5. Whether the Student should receive compensatory services.

SUMMARY:

The Board received this request for hearing filed by the Parent on August 11, 2008. A pre-hearing conference was held on September 12, 2008, and multiple dates were scheduled for the administrative hearing. On October 15, 2008, the Parent submitted notification that the parties resolved this matter and wished to withdraw the due process complaint without prejudice.

FINAL DECISION AND ORDER:

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