

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Student: Attorney Lawrence Berliner  
Klebanoff & Alfano, P.C.  
433 South Main Street, Suite 105  
West Hartford, CT 06110

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

Appearing before: Attorney Mary Elizabeth Oppenheim, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Whether the Board's program for the Student from December 17, 2008 through the 2008-09 school year was appropriate;
2. Whether the Board's proposed program for the Student for the 2009-10 school year is appropriate;
3. If not, whether the Parent's placement of the Student at Winston Prep is appropriate; and
4. Whether the Student is entitled to compensatory education for this denial of FAPE.

**SUMMARY:**

The Board received this request for hearing on June 15, 2009 and a prehearing conference was convened on June 30, 2009.

The mailing date of the decision was extended to provide the parties time to mediate the case and attempt to finalize a settlement of the case. Prior to the first hearing date, the Parents' attorney submitted notice that they were not proceeding with the case as they were settling this dispute.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**.