

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parent:

Courtney Spencer, Esq.  
Law Office of Courtney Spencer, LLC  
100 Riverview Center, Suite 290  
Middletown, CT 06457

Appearing on behalf of the Board:

Marsha Moses, Esq.  
Berchem, Moses and Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before:

Sylvia Ho, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board fail to promptly identify the Student as a Student with a disability under the IDEA?
2. Did the Board fail to offer FAPE for the two years prior to the filing of the due process complaint and for the 2016-2017 school year?
3. If not, is Vista Sage an appropriate placement?
4. If so, should the Board be required to reimburse parents for tuition at Vista Sage?
5. Do the circumstances warrant an award of compensatory education?
6. Should the parents be reimbursed for their payment of their private neuropsychological evaluation?

**PROCEDURAL HISTORY/SUMMARY:**

The Parent filed the Due Process Complaint and Request for Hearing on February 10, 2017. The Hearing Officer was appointed on February 21, 2017 and conducted a Prehearing Conference on March 21, 2017. The hearing was scheduled for May 26, 2017. The hearing convened on May 26, 2017. At the beginning of the hearing, the Parent's attorney reported to that the parties had resolved their dispute but wished to postpone the hearing so that they might finalize the details of an agreement. The hearing was postponed to June 27, 2017. The hearing convened on June 27, 2017. The Parent's attorney reported that the parties had finalized the agreement and Parents were withdrawing the Due Process Complaint with prejudice.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED** with prejudice.