

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Weston Board of Education

Appearing on behalf of the Parent: Gerry McMahon, Esq.
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Appearing on behalf of the Board: Christopher Tracey, Esq.
Shipman & Goodman, LLP
300 Atlantic Street
Stamford, CT 06901

Appearing before: Patrick L. Kennedy, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board fail to meet its child-find obligations?
2. Did the Board fail to provide the Student with FAPE for the 2015-16 school year?
3. Did the Board fail to provide the Student with FAPE for the 2016-17 school year?
4. Did the Board fail to provide the Student with FAPE for the 2017-18 school year?
5. Does the hearing officer have jurisdiction over Section 504 issues raised by the Parents concerning the foregoing school years?
6. If the hearing officer has jurisdiction, did the Board violate Section 504?
7. If the Board denied FAPE for the relevant years, was the Unquowa School a proper placement?
8. If the Board denied FAPE for 2017-18, was the Westport Day School a proper placement?
9. If the Board denied FAPE for the relevant years and the Unquowa School was a proper placement, should the Parents be reimbursed for tuition and other expenses for the Student's attendance there?

10. If the Board denied FAPE for the relevant years and the Westport Day School was a proper placement, should the Parents be reimbursed for tuition, transportation and other expenses for the Student's attendance there?
11. If there has been a denial of FAPE, should compensatory education be ordered?
12. Should the Parents be reimbursed for the private psychological evaluation which was obtained for the Student?

SUMMARY AND PROCEDURAL HISTORY:

Case 18-0306 was commenced by the Parents by request received by the Board on February 5, 2018. A prehearing conference was held on February 15, 2018. At the prehearing conference, hearing dates were set for April 9, 2018 and April 10, 2018 and the decision date was determined to be April 20, 2018. The hearing was subsequently rescheduled to May 21, 2018 and May 22, 2018 and the decision date subsequently was extended to June 20, 2018.

At the hearing of May 21, 2018, the undersigned hearing officer was advised by the attorneys for both parties that the parties had reached a settlement in the case and that the matter should therefore be dismissed with prejudice.

FINAL DECISION AND ORDER:

The matter is dismissed with prejudice.

May 24, 2018

Final Decision and Order 18-0306