

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing for the Student: Phillip J. Cohn, Esq.
Law Offices of Phillip J. Cohn, LLC
40 Richards Avenue
Norwalk CT 06854

Appearing for the Board: Michelle Laubin, Esq.
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing Before: Scott Myers, J.D., M.A. (Clinical Psychology),
Hearing Officer

FINAL DECISION AND ORDER

(September 24, 2008)

This matter was commenced by request for due process dated August 11, 2008 on behalf of the Student, who is over 18 years of age, by her parents (the "Parents"). The Board advised that it had received the due process complaint on August 13, 2008. The Board did not challenge the sufficiency of the complaint and filed an answer on September 5, 2008.

By agreement of the parties, a telephonic pre-hearing conference ("PHC") convened on September 4, 2008. Mr. Cohn participated on behalf of the Student and Ms. Laubin on behalf of the Board. Among other things, the parties at the PHC reported that a resolution session had been scheduled and that should the dispute remain unresolved following the resolution session, the parties had agreed to participate in a Connecticut Department of Education ("CTDOE")-sponsored mediation scheduled for September 17, 2008. To permit the parties an opportunity to resolve this matter by agreement while also allowing this matter to be resolved expeditiously should settlement efforts prove unsuccessful, an initial scheduling order was issued on September 8, 2008. By agreement, that order identified (subject to modification) October 7 and 15, 2008 as potential hearing dates and October 27, 2008 as the date for the mailing of the Final Decision and Order, and scheduled a follow-up PHC for September 19, 2008 as necessary. The parties thereafter timely reported that they had reached and executed an agreement resolving their dispute through the CTDOE-sponsored mediation and that the due process hearing request was being withdrawn with prejudice by agreement.

Accordingly, this matter is hereby DISMISSED. The parties are commended for their attention to this matter and their diligence in working to resolve their dispute.