

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Norwalk Board of Education v. Student

Appearing on Behalf of the Parents:

Pro Se

Appearing on Behalf of the Board:

Attorney Michael P. McKeon  
Sullivan, Schoen, Campana & Connon, LLC  
646 Prospect Avenue  
Hartford, Connecticut 06105-4286

Appearing Before:

Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the psychological evaluation performed by the Board appropriate? If not;
2. Should the Board provide an independent psychological evaluation of the Student at public expense?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student has been as identified with a Specific Learning Disability and is entitled to receive a free and appropriate public education ("FAPE") as defined in the Individuals with Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parents rejected the evaluation performed by the Board. The Parents requested an independent psychological evaluation. The Board refused the Parents' request and filed for a due process hearing.

An impartial hearing officer was appointed on August 25, 2011 and a prehearing conference was scheduled for September 1, 2011; the prehearing conference was not conducted. In a letter, the Parents advised the hearing officer and the Board's attorney that the Parents were no longer requesting an independent evaluation. Based upon the Parents' letter, the Board withdrew their request for due process without prejudice.

The date for mailing the Final Decision and Order is October 9, 2011.

**FINAL DECISION AND ORDER:**

The matter is dismissed without prejudice.