

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Meriden Board of Education

Appearing on behalf of the Parent: Attorney Erin Shaffer
New Haven Legal Assistance Association, Inc.
426 State Street
New Haven, CT 06510

Appearing on behalf of the Board: Attorney Leander Dolphin
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103

Appearing before: Justino Rosado, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board violate child find by not evaluating the Student in a timely manner?
2. Should the Board have performed psychological and psychiatric evaluations as recommended at the June 9, 2015 PPT before recommending a diagnostic placement?
3. What is the Student's stay-put?
4. Is the student entitled to compensatory education for the denial of FAPE?

SUMMARY AND PROCEDURAL HISTORY:

The Student has not been identified and is not entitled to receive 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 et seq. At a planning and placement team (PPT) meeting, the Parent stated that the Board had violated "child find." The Parent requested that the Student be identified as eligible to receive special education and related services. The Board refused the Parent's request.

On August 10, 2015, the Board received notice of the Parent's request for due process. The parties agreed to forego a resolution meeting and agreed to a mediation session. The date of the mediation session was pending.

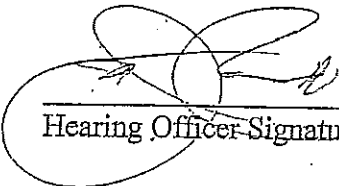
An impartial hearing officer was appointed on August 10, 2015 and a pre-hearing conference was held on August 19, 2015. A hearing date of October 5, 2015 was chosen by the parties. In an electronic transmission the Parent's attorney advised the hearing officer that the matter had been resolved and withdrew the hearing request with prejudice. The date for mailing the Final Decision and Order is October 23, 2015.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.

If the local or regional board of education or the unified school district responsible for providing special education for the student requiring special education does not take action on the findings or prescription of the hearing officer within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescription of the hearing officer.

Appeals from the hearing decision of the hearing officer may be made to state or federal court by either party in accordance with the provisions of Section 4-183, Connecticut General Statutes, and Title 20, United States Code 1415(i)(2)(A).



Hearing Officer Signature

Justino Rosado
Hearing Officer Name in Print