

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

West Hartford Board of Education v. Student

Appearing on behalf of the Parent: Pro Se

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

Appearing before: Justino Rosado, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Were the triennial evaluations performed by the Board and presented at the May 19, 2105 PPT appropriate? If not;
2. Are the Parents entitled to an Independent Educational Evaluation at public expense?

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified with Autism and is 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 Parents rejected the triennial evaluations performed by the Board and requested an Independent Educational Evaluation at public expense. The Board refused the Parents' request and filed for due process under 34 C.F.R. §§300.502(b) and 300.507(a). An impartial hearing officer was appointed on February 29, 2016 and a pre-hearing conference was held on March 3, 2016. The parties agreed to mediate the matter. The date of the mediation was pending.

In an electronic transmission, the Board's attorney advised the hearing officer that the parties were able to resolve the issues and requested that the matter be withdrawn. There was no objection by the Parents. The withdrawal was granted. The date for mailing the Final Decision and Order was extended to June 13, 2016 to accommodate the mediation.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.

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