

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

West Hartford Board of Education v. Student

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Attorney Susan C. Freedman
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Were the evaluations provided by the Board appropriate and does it provide the Student with Free and Appropriate Public Education (FAPE according to 20 U.S.C. §§ 1401 et seq? If not;
2. Should the Board pay for the Independent Educational Evaluation requested by the Parents in order to provide the Student with FAPE?

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The Student is 9 years and 5 months old and has not been identified as entitled to receive a free and appropriate public education (“FAPE”) as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Parents rejected the evaluations performed by the Board and requested an independent educational evaluation. The Board refused the Parents’ request. An impartial hearing officer was appointed on April 19, 2010 and a pre-hearing conference was held on April 29, 2010.

At the April 29, 2010 pre-hearing conference the Board’s attorney withdrew the request for due process without prejudice. The parties were working cooperatively to resolve the issue. The date for the Final Decision and Order is June 3, 2010.

FINAL ORDER AND DECISION:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.