

August 2, 2011

Final Decision and Order 12-0006

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Simsbury Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Pro Se

Appearing Before: Attorney Justino Rosado  
Hearing Officer

**ISSUE:**

Should the Board pay for an independent evaluation performed by Dr. Miriam Cherkes-Julkowski?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student has been identified with Autism 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 Parent requested that the Board pay for an independent evaluation performed by Dr. Miriam Cherkes-Julkowski. The Board refused the Parent's request.

On or about July 15, 2011, the Board received notice of the Parent's request for due process. An impartial hearing officer was appointed on July 15, 2011 and a prehearing conference was scheduled for July 22, 2011.

In an electronic transmission dated July 20, 2011, the Parent advised the hearing officer that the parties were able to resolve the matter. The date for mailing the Final Order and Decision is August 29, 2011.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**