

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Middletown Board of Education v. Student

Appearing on behalf of the Parents:

Pro Se

Appearing on behalf of the Board:

Attorney Rebecca R. Santiago  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before:

Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the educational evaluation conducted by the Board appropriate? If not;
2. Should the Board conduct an independent educational evaluation at public expense?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has not been identified as 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 et seq.

At a planning and placement team (PPT) meeting, the Parents rejected the educational evaluation performed by the Board. The Parents requested an independent educational evaluation at public expense. The Board refused the Parents request and filed for a due process hearing.

An impartial hearing officer was appointed on December 19, 2013 and a pre-hearing conference was held on January 3, 2014. The hearing date chosen by the parties was February 11, 2014.

On January 15, 2014, the parties informed the hearing officer that they were able to resolve the matter in mediation and the Board's attorney withdrew the matter with prejudice.

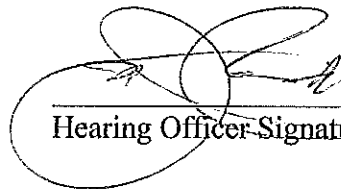
The mailing date for the Final Decision and Order is February 2, 2014.

**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