

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

East Hartford Board of Education v. Student

Appearing on behalf of the Board: Attorney Peter Maher
Attorney Linda Yoder
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing on behalf of the Student: Parent

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE: Was the evaluation conducted by the District appropriate, thereby relieving the District of the obligation to provide an independent educational evaluation (“IEE”) in the form of a neuropsychological evaluation at public expense?

PROCEDURAL HISTORY AND SUMMARY: On May 31 2018, Parents received a request for a special education due process hearing filed by the the East Hartford Board of Education. On May 31, 2018, the State of Connecticut Department of Education appointed the undersigned hearing officer to preside over the case. On June 19, 2018, a prehearing conference was held. The deadline for mailing the final decision and order was established as July 13, 2018, and a hearing date of July 3, 2018 was set. On June 26, 2018, the parties requested a postponement of the hearing date and an extension of the mailing deadline in order to engage in mediation. These requests were granted on June 28, 2018. A new mailing deadline of August 10, 2018 was set. A second prehearing conference was held on July 6, 2018 to identify a replacement hearing date. During the conference, the Board requested another extension of the mailing deadline in order to accommodate the hearing date of August 16, 2018. Parents objected to this request, which was noted for the record. After a consideration of all of the relevant factors set forth in R.C.S.A. Section 10-76h-9(d), the Board’s request for an extension of the deadline for the mailing of the final decision and order was granted and resulted in a mailing deadline of September 7, 2018. On August 9, 2018, Parents requested a postponement of the August 16, 2018 hearing date for personal reasons. The Board had no objection to and joined in Parents’ request to postpone the hearing date and also requested an extension of the mailing deadline. Both requests were granted on August 13, 2018. A new hearing date of September 20, 2018 was set and October 5, 2018 was set as the new mailing deadline. On August 31, 2018, the Board withdrew its request for a special education due process hearing.

FINAL DECISION AND ORDER: In light of the above facts, the case is dismissed.