

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

New Haven Board of Education v. Student

Appearing on behalf of the Parent:

Penelope Petzold, Esq.
SpEdConnecticut, Inc.
75 Charter Oak Avenue, Suite 1-105
Hartford, CT 06106

Appearing on behalf of the Board:

Michelle Laubin, Esq.
Berchem, Devlin & Moses, PC
75 Broad Street
Milford, CT 06460

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was the Board's evaluation appropriate?
2. Is the Board obligated to fund an independent educational evaluation at public expense?

PROCEDURAL HISTORY/SUMMARY:


The Board brought the Due Process Complaint and Hearing Request on July 26, 2016. The Hearing Officer was appointed on August 2, 2016 and conducted a Prehearing Conference on August 10, 2016. The Hearing Officer granted the Board's request to extend the mailing date of the Final Decision from September 7, 2016 to October 7, 2016 in order for the parties to engage in negotiations. On September 22, 2016, the Board's attorney informed the Hearing Officer that Board was withdrawing its Due Process Complaint and Request for Hearing without prejudice.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** without 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

Sylvia Ho

Hearing Officer Name in Print