

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

North Branford Board of Education and Student

Appearing on behalf of the Board of Education: Attorney Marsha Moses
Berchem, Moses & Devlin, PC
75 Broad Street
Milford, CT 06460

Appearing on behalf of the Student: Attorney Sean K. McElligott
Koskoff, Koskoff & Bieder
350 Fairfield Avenue
Bridgeport, CT 06604

Appearing before: Attorney Ann F. Bird
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Is the Board of Education's psychological evaluation appropriate?
2. If not, is the Student entitled to an independent psychological evaluation at public expense?

PROCEDURAL HISTORY:

The North Branford Board of Education requested a special education due process hearing in the above-captioned matter on July 10, 2015. The Impartial Hearing Officer was appointed to the case on July 16, 2015. A telephonic pre-hearing conference was held on August 12, 2015. Attorney Sean McElligott appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education. An evidentiary hearing was established for September 15, 2015 at 11:00 am.

On August 16, 2015, Counsel for the Board of Education submitted a written request for a thirty-day postponement and extension of the timelines to conduct the hearing and to file the final decision in this case to September 23, 2015. The Parent did not object to the requested postponement and it was granted.

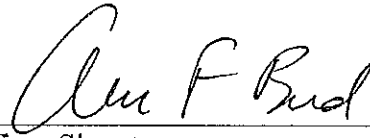
On September 15, 2015, the evidentiary hearing was convened. At that time, the Student formally withdrew the request for an independent educational evaluation at public expense. In turn and as a result of the Student's action, the Board of Education requested that the case be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Board of Education's request for dismissal is granted and this matter is dismissed.

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

ANN F BIRD

Hearing Officer

Name in Print