

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Board of Education

Appearing on behalf of the Parent:

Parent, *Pro se*

Appearing on behalf of the Board:

Andreana Bellach, Esq.
Shipman & Goodwin, LLP
399 Atlantic Avenue
Stamford, CT 06901-3522

Appearing before:

Mary H.B. Gelfman, Esq., Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Shall the Parents' refusal to consent to various evaluations for the Student be overruled?

PROCEDURAL HISTORY:

This hearing was requested by the Board on April 12, 2012. A Hearing Officer was appointed on the same day. The date for mailing the decision was June 26, 2012.

The Board included in its request a request that this case be consolidated with an ongoing case involving the same Student. The Hearing Officer who had been randomly assigned to this case and the Hearing Officer assigned to the on-going case consulted and agreed to consolidation, with this case to be heard before the Hearing Officer assigned to the previous case. The Hearing Officer assigned to this case withdrew on April 23, 2012, and the prior Hearing Officer consolidated the two cases.

Immediately prior to a hearing session on the prior case on April 26, 2012, the Parties notified the Hearing Officer that consent was being provided, and that when the appropriate signed forms had been returned, the Board would withdraw the request for a hearing. Therefore, no pre-hearing conference was scheduled.

By letter dated May 4, 2012, the Board acknowledged that the consents had been received and withdrew the request for a hearing.

All motions and objections not previously ruled upon, if any, are hereby overruled.

CONCLUSIONS OF LAW:

Section 10-76h, Connecticut General Statutes (C.G.S.), and related regulations at Section 10-76h, Regulations of Connecticut State Agencies, authorize an impartial hearing officer to conduct a special education hearing and to render a final decision in accordance with Sections 4-176e through 4-180a, inclusive, and Sections 4-181a of the C.G.S. Section 20 U.S.C. § 1415(f) and related regulations at 34 C.F.R. § 300.511 through § 300.520 also authorize special education hearings.

FINAL DECISION AND ORDER:

Since this hearing was requested to address the single issue of consent for evaluations and since such consent has now been provided by Parents, the matter is DISMISSED without prejudice.