

January 31, 2014

Final Decision and Order Case No. 14-0334

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Shelton Board of Education v. Student

Appearing on behalf of the Parents: Pro Se

Appearing on behalf of the Board: Attorney Craig Meuser  
Chinni & Meuser LLC  
30 Avon Meadow Lane  
Avon, CT 06001

Appearing before: Justino Rosado, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the Board's speech and language evaluation appropriate? If not;
2. Is the Student entitled to a speech and language evaluation at the Board's expense?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified as Other Health Impaired and is entitled to receive a free and appropriate public education (FAPE) as defined in the Individuals With Disabilities 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 speech and language evaluation performed by the Board. The Parents requested an independent speech and language evaluation. The Board refused the Parents request and filed for a due process hearing.

An impartial hearing officer was appointed on January 7, 2014 and a pre-hearing conference was held on January 24, 2014. At the pre-hearing conference, the Parents informed the hearing officer that they were not seeking an independent evaluation at this time and sent an electronic transmission confirming the withdrawal. The Board's attorney also sent an electronic transmission stating that based on the Parents' electronic transmission, they were withdrawing their request for due process without prejudice.

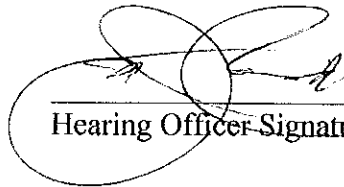
The mailing date for the Final Decision and Order is February 21, 2014.

**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

Justino Rosado  
Hearing Officer Name in Print