

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Trumbull 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: Mother, *Pro Se*
Father, *Pro Se*

Appearing before: Attorney Ann F. Bird, Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

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

PROCEDURAL HISTORY:

The Board requested a special education due process hearing in the above-captioned matter on August 10, 2016. This Impartial Hearing Officer was appointed to hear the case on August 2, 2016. A telephonic pre-hearing conference was convened on August 10, 2016. The Student's Mother and Father appeared on behalf of the Student and Attorney Marsha Moses appeared on behalf of the Board of Education. At the conference it was established that the deadline for filing the final decision is September 9, 2016, and an evidentiary hearing was scheduled for October 6, 2016. Subsequently, the evidentiary hearing was cancelled due to a party's unforeseen schedule conflict.

On September 6, 2016, 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 October 7, 2016. The Student agreed to the requested postponement and it was granted. On October 5, 2016, 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 November 4, 2016. The Student did not object to the request and it was granted.

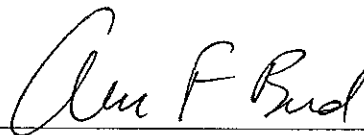
A conference was convened on October 25, 2016 to reschedule the evidentiary hearing. At that time, the Student's Father withdrew the Student's request for an independent educational evaluation, reserving only his right to disagree with any evaluation that the Board of Education may perform in the future. The Student's Mother did not support the Father's request for an independent educational evaluation. In response to the Father's withdrawal of his request, the Board of Education requested that this matter be dismissed.

FINAL DECISION AND ORDER:

It is ordered that the Board of Education's request is granted and the matter is dismissed with 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

Ann F Bird

Hearing Officer

Name in Print