

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Oxford Board of Education v. Student

Appearing on behalf of the Student: Attorney Jennifer Laviano  
The Law Office of Jennifer Laviano, LLC  
76 Route 37 South  
Sherman, CT 06784

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

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

Was the psychiatric evaluation conducted by the District appropriate, thereby relieving the District of the obligation to fund the Independent Educational Evaluation at public expense?

**PROCEDURAL HISTORY AND SUMMARY:**

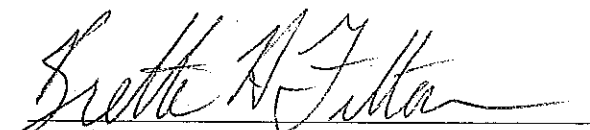
On June 21, 2016, the Parent's Attorney received a request for a special education due process hearing filed by the Board. On June 23, 2016, the Connecticut State Department of Education appointed the undersigned Hearing Officer to preside over the hearing. During the prehearing conference held on August 3, 2016, hearing dates of September 28, 2016 and September 29, 2016 were set and the deadline for mailing the final decision and order was established as August 5, 2016. On August 2, 2016, the Attorney for the Board requested an extension of the mailing deadline in order to accommodate the agreed upon hearing date schedule. This request was granted and a new mailing deadline of September 2, 2016 was established. On August 23, 2016, Attorney for the Board requested another extension in order to accommodate the agreed upon hearing date schedule. This request was also granted and resulted in a new mailing deadline of September 30, 2016. On September 21, 2016, the Board withdrew the request for a special education hearing with prejudice.

**FINAL DECISION AND ORDER:**

In light of the above facts, the case 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

Brette H. Fitton  
Hearing Officer      Name in Print