

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Wethersfield Board of Education v. Student

Appearing on behalf of the Parents:

Pro Se

Appearing on behalf of the Board:

Attorney Peter Maher  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before:

Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Was the psychological and psychiatric evaluations performed by the Board appropriate? If not;
2. Should the Board conduct Independent Psychological and Psychiatric Evaluations of the Student at public expense?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Emotional Disturbance and is entitled to receive FAPE as defined in the Individuals With Disabilities Education 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 were not in agreement with the psychological and psychiatric evaluations performed by the Board and requested independent evaluations at public expense. The Board refused the Parents' request and filed for a due process hearing.

An impartial hearing officer was appointed on May 6, 2016 and a pre-hearing conference was held on May 18, 2016. The parties agreed to a mediation session. The date of the mediation session was pending. In an electronic transmission the Board's attorney advised the hearing officer that the Parents were withdrawing their request for independent evaluations. Based on the Parents' representation, the Board withdrew their request for due process without prejudice.

The date for mailing the Final Decision and Order is June 17, 2016.

**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