

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Middletown Board of Education v. Student

Appearing on Behalf of the Parents: Jennifer D. Laviano, Esq.,
Law Offices of Jennifer D. Laviano, LLC
76 Route 37 South
Sherman, CT 06784

Appearing on Behalf of the Board: Attorney Christine L. Chinni
Chinni & Meuser LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Whether the evaluations administered by the Board were appropriate? If not;
2. Is the Student entitled to an independent psychiatric evaluation at public expense?

FINAL DECISION AND ORDER

SUMMARY AND PROCEDURAL HISTORY:

The Student has been identified as Other Health Impaired, attention deficit disorder (ADD), attention deficit hyperactivity disorder (ADHD) and is a student entitled to receive a free and appropriate public education ("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. At an IEP meeting, the Parent requested an independent psychiatric evaluation of the Student. The Board refused the Parent's request and the Board filed for due process.

On or about December 2, 2011, the Parent received notice of the Board's request for due process. An impartial hearing officer was appointed on December 2, 2011 and a pre-hearing conference was held on December 13, 2011. A hearing date of February 9, 2012 was chosen by the parties. At a mediation session held on January 17, 2012, the parties were able to resolve the matter. On February 3, 2012, the parties advised the hearing officer that the matter was resolved and an agreement had been executed.

The mailing of the final decision and order was extended thirty days in order to accommodate the mediation. The mailing date of the final decision and order is February 15, 2012.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.