

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Enfield Board of Education v. Student
Student v. Enfield Board of Education

Appearing on behalf of the Parent:

Christina D. Ghio, Esq.
Law Office of Christina D. Ghio, LLC
PO Box 186
Cheshire, CT 06410

Appearing on behalf of the Board:

Christine Chinni, Esq.
Chinni and Meuser, LLC
30 West Avon Road
Avon, CT 06001

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Parents provide consent for Student's triennial evaluations?
2. Are the Parents entitled to Independent Educational Evaluations at public expense?
3. Did the Board violate Parents' right to meaningfully participate in the PPT by refusing to convene the PPT on January 14, 2014 because the Parent sought to include her advocate in the meeting, and by subsequently changing the purpose of the meeting to include re-evaluation?
4. Did the Board violate the Parents' right to request an independent educational evaluation by refusing to convene the PPT on January 14, 2014 and subsequently changing the purpose of the meeting to include re-evaluation?
5. Did the Board violate the Parents' right to an independent educational evaluation by failing to either provide the independent evaluation or request a due process hearing to show that its evaluation of January 31, 2012 was appropriate?

PROCEDURAL HISTORY/SUMMARY:

This matter is a consolidation of *Enfield v. Student*, Case No. 14-0344 and *Student v. Enfield*, Case No. 14-0407. The Board filed a Hearing Request (14-0344) on February 7, 2014. The Hearing Officer was appointed on, and conducted a Prehearing Conference on February 25, 2014. A hearing was scheduled for March 20, 2014. At the Prehearing Conference the Parents' attorney stated that Parents would be filing a Hearing Request with additional issues. Parents filed that Hearing Request (14-0407) on March 5, 2014 and requested consolidation of both Hearing Requests. The Hearing Officer conducted a Prehearing Conference in 14-0407 on March 17, 2014 and issued an order consolidating

May 5, 2014

Final Decision and Order 14-0407

both cases under Case No. 14-0407 and canceling the March 20, 2014 hearing in 14-0344. The mailing date of this consolidated matter is May 19, 2014. The hearing was scheduled for May 5, 2014. On April 30, 2014, the Parents' attorney reported to the Hearing Officer that the parties had reached an agreement in all the issues in this consolidated matter and requested that it be dismissed with prejudice.

FINAL DECISION AND ORDER:

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

Sylvia Ho

Hearing Officer

Name in Print