

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Monroe Board of Education v. Student

Appearing on behalf of the Parents: Pro Se

Appearing on behalf of the Board: Marsha B. Moses, Esq.  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before: Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the Psychiatric Evaluation conducted by the Board appropriate? If not;
2. Should the Board conduct an Independent Educational Evaluation at public expense?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with Emotional Disturbance and is entitled to receive a free and appropriate public education (FAPE) as defined in 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 rejected the Psychiatric Evaluation conducted by the Board. The Parents requested an Independent Educational Evaluation. The Board denied the Parents' request and filed for due process.

An impartial hearing officer was appointed on June 11, 2015; a pre-hearing conference was held on June 22, 2015. A hearing date of July 20, 2015 was chosen by the parties. In an electronic transmission dated July 13, 2015, the Parents advised the hearing officer that they were withdrawing their request for an Independent Educational Evaluation at public expense. Based on the Parents' withdrawal, the Board withdrew their request for due process.


The date for mailing the Final Decision and Order is July 24, 2015.

**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