

August 11, 2011

Final Decision and Order 11-0426

**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:

Attorney Justino Rosado
Hearing Officer

ISSUES:

Should the Board provide the Parent with Independent Speech and Language and Educational Evaluations at the Board's expense?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student has been identified as Speech and Language Impaired and is 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 a PPT meeting, the Parents disagreed with the speech and language evaluation performed by the Board and requested an independent evaluation. The Board refused the Parent's request and filed for due process.

An impartial hearing officer was appointed on May 2, 2011 and a pre-hearing conference was held on May 20, 2011. A hearing date of June 27, 2011 was chosen by the parties. At the due process hearing, the parties attempted to resolve the matter. A request for continuance of the matter was requested by the parties in order to attempt a resolution.

In an electronic transmission dated July 20, 2011, the Board advised the hearing officer that the Parent was withdrawing their request for an independent evaluation with prejudice. The Board withdrew their request for due process.

In order to accommodate the request for additional time to resolve the matter, the mailing date of the decision and order was extended by the parties. The date for mailing the Final Decision and Order is August 15, 2011.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED.