

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Region 6 Board of Education v. Student

Appearing on behalf of the Guardian:

Pro Se

Appearing on behalf of the Board:

Attorney Christine L. Chinni  
Chinni & Meuser LLC  
30 Avon Meadow Lane  
Avon, CT 06001

Appearing before:

Justino Rosado, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Are the Psychological and Occupational Therapy Evaluations conducted by the Board appropriate? If not;
2. Should the Board conduct independent Psychological and Occupational Therapy Evaluations at public expense?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student is not identified as 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 et seq. At a planning and placement team (PPT) meeting, the Parents disagreed with the Psychological and Occupational Therapy Evaluations conducted by the Board and requested independent evaluations. The Board denied the Parents' request and requested a due process hearing pursuant to the provisions of 34 C.F.R. §300.502(b)(2)(i).

An impartial hearing officer was appointed on June 24, 2015 and a pre-hearing conference was held on June, 30, 2015. A mediation session was held on August 17, 2015 but was unsuccessful.

Hearing dates of September 21 and 29, 2015 were chosen by the parties; the September 21, 2015, hearing date was cancelled at the request of the Board's attorney. There was no objection by the Parents. At the September 29, 2015 hearing, the parties advised the hearing officer that an agreement had been ratified. The Parents withdrew their request for independent evaluations with prejudice and the Board withdrew their request for due process. The date for the mailing of the Final Decision and Order was extended to October 7, 2015 to accommodate the hearing date.

**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).



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Hearing Officer Signature

Justino Rosado  
Hearing Officer Name in Print