

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Columbia Board of Education v. Student

Appearing on behalf of the Board: Attorney Linda Yoder
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing on behalf of the Student: Attorney Brenda Draghi
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Appearing before: Attorney Mary Elizabeth Oppenheim
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Whether the hearing officer shall override the Parents' lack of consent to the Board's requested evaluations so that the Board may proceed with the evaluations identified at the 12/7/2012 PPT meeting with Board staff or a qualified outside evaluator selected by the Board;
2. Whether the hearing officer shall order that the Parents refrain from pursuing outside evaluations before the Board has had an opportunity to obtain its evaluations as this may prevent the selected evaluator from using preferred test instruments and, therefore, interfere with the Board's ability to obtain the most meaningful assessment.

PROCEDURAL HISTORY/DISCUSSION:

This request for hearing was submitted by the Board on January 30, 2013 and a prehearing conference convened on February 6, 2013. At the prehearing conference, counsel for both parties indicated that they were attempting to resolve the matter. The Board also indicated that the second issue was moot as the Parents were already proceeding with evaluations. Subsequently, Board counsel submitted notification that the parties had reached an agreement and the Board was withdrawing its request for hearing. Therefore, this matter is dismissed.

FINAL DECISION AND ORDER:

The matter is **DISMISSED**.