

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Enfield Board of Education v. Student

Appearing on behalf of the Student: Parents

Appearing on behalf of the Board: Attorney Christine Chinni
Chinni and Meuser, LLC
One Darling Drive
Avon, CT 06001

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUE:

Was the psychoeducational evaluation conducted by the District appropriate, thereby relieving the District of the obligation to obtain an Independent Educational Evaluation (“IEE”) at public expense, specifically an independent neuropsychological evaluation, as was requested by the Parents at a Planning and Placement Team meeting on December 18, 2015?

PROCEDURAL HISTORY AND SUMMARY:

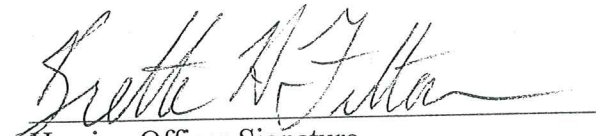
On January 5, 2016, the Student received a Special Education Due Process Hearing Request filed by the Enfield Board of Education and the undersigned Hearing Officer was appointed to the case. The deadline for the mailing of the Final Decision and Order was established as February 19, 2016. A prehearing conference was scheduled for January 12, 2016, but Parents indicated they were unable to attend due to work obligations. On January 13, 2016, before the prehearing conference could be rescheduled, Parents sent an email to the Board indicating that they were withdrawing their request for an IEE. The Board, in response to the Parents’ withdrawal of the request for an IEE, withdrew its Special Education Due Process Hearing Request in an email sent on January 13, 2016.

FINAL DECISION AND ORDER:

In light of the above facts, the case is dismissed.

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

Brette H. Fitton
Hearing Officer Name in Print