

July 2, 2018

Final Decision and Order 18-0506

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Student: Parent

Appearing on behalf of the Board: Mr. Michael Rizzo
Director of Pupil Services
Westport Board of Education
72 North Avenue
Westport, CT 06880

Appearing before: Attorney Brette H. Fitton
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District err when it refused Parent's request for a psychoeducational evaluation at the June 6, 2018 planning and placement team ("PPT") meeting?
2. Is the Student entitled to an independent educational evaluation ("IEE"), specifically a psychoeducational evaluation, at public expense?
3. Did the District violate its Child Find obligations under the Individuals with Disabilities Education Act ("IDEA")?

PROCEDURAL HISTORY AND SUMMARY: On June 11, 2018, the Westport Board of Education received a request for a special education due process hearing filed by the Parents and the undersigned hearing officer was appointed by the Connecticut State Department of Education to preside over the hearing. A prehearing conference was scheduled for June 19, 2018. The prehearing conference was postponed at the request of the parties, as the resolution session was scheduled on that same date. The prehearing conference was rescheduled for June 29, 2018. On June 28, 2018, Parent notified the hearing officer via email that the case had settled and Parent was withdrawing Parent's request for a special education due process hearing with prejudice.

FINAL DECISION AND ORDER: In light of the above facts, the case is dismissed.