

April 3, 2019

Final Decision and Order 19-0449

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Shelton Board of Education v. Student

Appearing on behalf of the Student:

Attorney Nora Belanger  
Law Office of Nora Belanger, LLC  
161 East Avenue, Suite 104  
Norwalk, CT 06851

Appearing on behalf of the Board:

Attorney Craig Meuser  
Chinni & Meuser LLC  
One Darling Drive  
Avon, CT 06001

Appearing Before:

Attorney Susan Dixon  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Are the Board's proposed evaluations of the Student for the triennial assessment appropriate?
2. If so, can the Board override the guardians' lack of consent for the proposed evaluations and conduct them without such consent?

**PROCEDURAL BACKGROUND:**

The Board filed this Request for a Due Process Hearing on March 29, 2019. The Hearing Officer was assigned on March 29, 2019. A Prehearing Conference was scheduled for April 2, 2019. On April 1, 2019, the Board became aware that the guardians had agreed to, and signed consent for, the evaluations requested by the District. The Board's attorney then notified the Bureau that, in light of the consent received, the issues are now moot and the Board withdraws the case without prejudice.

**FINAL DECISION AND ORDER:**

The case is DISMISSED without prejudice.