

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Norwalk Board of Education v. Student

Appearing on Behalf of the Parent: Pro Se

Appearing on Behalf of the Board: Attorney Marsha B. Moses  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

**ISSUES:**

1. Was the District's speech and language and psychological evaluation appropriate and did it provide the Student with a free and appropriate public education (FAPE)? If not;
2. Should the District provide an independent speech and language and psychological evaluation at its expense?

**FINAL DECISION AND ORDER**

**SUMMARY and PROCEDURAL HISTORY:**

The Student is 6 years and 10 months old and has been identified with Autism and is entitled to receive a free and appropriate public education ("FAPE") as defined in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At an IEP meeting, the Parent rejected the speech and language and psychological evaluation performed by the District. The Parent requested independent evaluations at the District's expense. The District denied the Parent's request, and filed for due process.

On or about January 5, 2010, the Parent received notice of the District's request for due process. An impartial hearing officer was appointed on January 7, 2010 and a pre-hearing conference was held on January 19, 2010. A hearing date of February 24, 2010 was chosen by the parties.

In an electronic transmission, the Parent informed the hearing officer that they were withdrawing their request for an independent speech and language and psychological evaluation of the Student. The District, upon receiving the Parent's notice of withdrawal of the evaluations, withdrew their request for due process. At the request of the parties, in order to accommodate the filing of a final decision and order after the hearing dates, the date for the filing of the Final Decision and Order was extended. The date for the mailing of the Final Decision and Order is March 24, 2010.

**FINAL DECISION AND ORDER:**

**THE MATTER IS DISMISSED WITH PREJUDICE.**