

January 31, 2014

Final Decision and Order Case No. 14-0279

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

East Windsor Board of Education v. Student

Appearing on behalf of the Parents: Attorney Liz Moyse  
Law Offices of Jennifer D. Laviano, LLC  
76 Route 37 South  
Sherman, CT 06784

Appearing on behalf of the Board: Attorney Christine L. Chinni  
Chinni & Meuser LLC  
30 Avon Meadow Lane  
Avon, CT 06001

Appearing before: Justino Rosado, Esq., Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Are the Board's neuropsychological and psychological evaluations appropriate? If not;
2. Is the Student entitled to independent neuropsychological and psychological evaluations?

**SUMMARY AND PROCEDURAL HISTORY:**

The Student has been identified with a Specific Learning Disability and is entitled to receive a free and appropriate public education (FAPE) as defined in the Individuals With Disabilities Education Improvement Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a et seq.

At a planning and placement team (PPT) meeting, the Parents rejected the neuropsychological and psychological evaluations performed by the Board. The Parents requested independent neuropsychological and psychological evaluations. The Board refused the Parents request and filed for a due process hearing.

An impartial hearing officer was appointed on November 20, 2013 and a pre-hearing conference was held on December 12, 2013. The hearing date chosen by the parties was January 23, 2014.

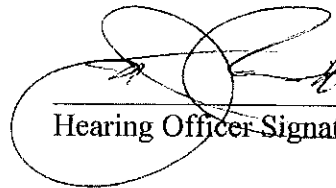
On January 17, 2014, the parties informed the hearing officer that they were able to resolve the matter and the Board's attorney withdrew the matter with prejudice. The mailing date for the Final Decision and Order is February 25, 2014.

**FINAL DECISION AND ORDER:**

The matter is dismissed with prejudice.

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

Justino Rosado  
Hearing Officer Name in Print