

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Monroe Board of Education v. Student

Appearing on behalf of the Student: Attorney Christine Sullivan  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing on behalf of the Board: Attorney Michael Gilberg  
P.O. Box 26  
Granite Springs, NY 10527

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUE:**

Were the evaluations conducted by the District and reported at the June 2, 2015 Planning and Placement Team meeting appropriate, thereby relieving the District of the obligation to obtain the Independent Educational Evaluations (“IEE”) which were requested by Parents at the November 2, 2016 PPT meeting at public expense?

**PROCEDURAL HISTORY AND SUMMARY:**

On December 9, 2016, the Parents received a request for a special education due process hearing which was filed by the Board. On December 12, 2016, the State of Connecticut Department of Education assigned the matter to the undersigned Hearing Officer. The original deadline for mailing the Final Decision and Order was January 23, 2016. On January 4, 2016, the parties jointly requested to extend the mailing deadline to accommodate the scheduling of hearing dates. This request was granted and resulted in a new mailing deadline of February 23, 2017. A prehearing conference was held on February 2, 2017. A hearing date of February 21, 2017 was agreed upon by the parties. On February 14, 2017, Attorney for the Parent requested a postponement of the February 21, 2017 hearing date and an extension of the mailing deadline due to a personal matter. The Board did not object. After a consideration of all of the relevant factors, the requests were granted and March 20, 2017 and March 27, 2017 were set as new hearing dates and March 24, 2017 was set as the new deadline for mailing the final decision and order. On March 14, 2017, Attorney for the Parents requested a postponement of the March 20, 2017 hearing date. This request was denied. On March 20, 2017, the hearing was opened and a joint request for an extension of the mailing deadline was made to accommodate the second scheduled hearing date of March 27, 2017, this request was granted and resulted in a new deadline of April 21, 2017. The parties subsequently settled the matter during a break in the proceedings and the Parents’ withdrawal of their request for IEEs and the Board’s withdrawal of

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the hearing request were placed on the record.

**FINAL DECISION AND ORDER:**

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