

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. New Britain Board of Education

Appearing on Behalf of the Surrogate Parent: Pro Se

Appearing on Behalf of the Board: Pro Se

Appearing Before: Attorney Justino Rosado
Hearing Officer

ISSUES:

1. Should the Board conduct an evaluation of the Student prior to performing pre-referral procedures?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 12 years and 7 month young man who has not been identified as a student who is entitled to receive a free and appropriate public education (“FAPE”) as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At the April 17, 2008 PPT meeting, the Board refused the request of the Student’s surrogate parent to perform an evaluation. The surrogate parent requested Due Process.

On or about April 30, 2008, the Board received notice of the Surrogate parent’s request for due process.

An impartial hearing officer was appointed on April 30, 2008 and a pre-hearing conference was held on May 5, 2008.

In an e-mail dated May 6, 2008, the surrogate parent informed the hearing officer that the matter was resolved and the hearing was withdrawn with prejudice.

The date for the mailing of the Final Decision and Order is June 15, 2008.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITH PREJUDICE.