

DEPARTMENT OF EDUCATION

Thomaston Board of Education v. Student

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Attorney Craig Meuser
Chinni & Meuser LLC
30 Avon Meadow Lane
Avon, CT 06001

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Was the evaluation provide by the Board sufficient to provide the Student with a free and appropriate public education (“FAPE”) in the least restrictive environment (“LRE”) as defined in 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a? if not;
2. Should the Board pay for an independent evaluation of the Student as requested by the Parents?

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 8 years old young man who has been identified as a student requiring special education and related services and is entitled to receive a free and appropriate public education as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. The Student’s Parents, at an April 1, 2008 IEP meeting, rejected the Board’s evaluations and assessments of the Student. The Parents requested an independent evaluation of the Student. The Board rejected the Parents’ request.

On or about July 2, 2008 the Board sent the Parents a letter advising them that the Board was requesting a Due Process hearing.

On or about July 22, 2008 an impartial special education Hearing Officer was appointed to hear the matter. A prehearing conference was held on August 5, 2008.

At the pre-hearing conference the hearing officer was advised that the Parents were withdrawing their request for an independent evaluation of the Student. The Board withdrew their request for due process.

The date for the mailing of the Final Decision and Order is September 7, 2008.

FINAL DECISION AND ORDER:

THE MATTER IS WITHDRAWN WITH PREJUDICE.