

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

New Haven Board of Education v. Student

Appearing on behalf of the Board: Attorney Michelle Laubin  
Berchem, Moses and Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing on behalf of the Student: Attorney Nhi Tran  
New Haven Legal Assistance  
426 State Street  
New Haven, CT 06510

Appearing before: Attorney Brette H. Fitton  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the District err when it found that the evaluation conducted by the District was appropriate, thereby relieving the District of its obligation to pay for an independent educational evaluation (“IEE”) in the form of a speech and language evaluation at public expense?
2. Is the issue of whether the speech and language evaluation conducted by the District on June 2, 2016 was inappropriate moot, because it is almost two years old and/or the District has agreed to conduct a comprehensive speech and language evaluation?

**PROCEDURAL HISTORY AND SUMMARY:** On February 20, 2018, Parents received the Board of Education’s request for a special education due process hearing. The State of Connecticut Department of Education appointed the undersigned hearing officer on February 23, 2018. On March 2, 2018, a prehearing conference was held and April 2, 2018 and April 5, 2018 were set as hearing dates and the deadline for mailing the final decision and order was established as April 6, 2018. On March 26, 2018, Attorney for the Parents sent an email informing the hearing officer that Parents were withdrawing their request for an IEE. Shortly thereafter, the Attorney for the Board of Education sent an email to the hearing officer indicating that the Board was withdrawing its request for a special education due process hearing.

**FINAL DECISION AND ORDER:** In light of the above facts, the case is dismissed.