

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. New Haven Board of Education

Appearing on Behalf of the Parents: Pro Se

Appearing on Behalf of the Board: Marsha B. Moses, Esq.  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, Ct 06460

Appearing Before: Attorney Justino Rosado, Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Is the student entitled to an independent psychological evaluation at the Board's expense?

**PROCEDURAL HISTORY:**

The student is a 17 years and 4 months young man who had been identified as a student with a disability as defined in Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a and is was entitled to receive a free and appropriate public education ("FAPE").

On or about November 5, 2005 the PPT found that the student no longer qualified for special education and related services. The parent did not agree with the team's decision and requested an independent psychological evaluation of the student. This request was granted by the Board. The Parent did not have the student evaluated in a timely manner and again on June 16, 2006, requested an independent psychological evaluation. The Board denied the Parent's second request and the parent filed for a due process hearing.

On or about July 17, 2006, the Board received notice of the due process request and on or about July 17, 2006 a hearing officer was appointed to hear the matter.

A pre-hearing conference was held on August 1, 2006 and a hearing date of September 20, 2006 was chosen by the parties. A resolution meeting was held on August 8, 2006.

In a letter sent to the hearing officer, the Parent informed the hearing officer that the matter had been resolved by the parties and the request for due process was being withdrawn with prejudice. The matter is therefore, withdrawn with prejudice.

The final decision and order date was extended to accommodate the hearing date.

The date for the final decision and order is October 20, 2006.

**FINAL DECISION AND ORDER:**

**The due process hearing is DISMISSED WITH PREJUDICE.**