

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Ansonia Board of Education

Appearing on Behalf of the Parents: Samuel Reich, Esq.
Michael W. Mackniak, LLC
87 Meadow Street
Naugatuck, CT 06770-4040

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

Appearing Before: Attorney Justino Rosado, Hearing Officer

FINAL DECISION AND ORDER

SUMMARY and PROCEDURAL HISTORY:

The Student is a 17 years and 6 month young woman who has been identified with Intellectual Disability and is entitled to receive a free 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 an IEP meeting on or about May 23, 2005, the Parent rejected the program offered by the Board for the 2005-2006 school year and requested that the Student's out of district placement be continued. The Board refused the Parent's request. On or about June 20, 2005, the Parent requested a Due Process Hearing.

On June 22, 2005, a Hearing Officer was appointed. A pre-hearing conference was held on June 29, 2005 and agreed upon hearing dates of August 5 and 10, 2005 were scheduled by the parties.

In a facsimile transmission dated July 15, 2005, the Parent through her attorney requested that the due process hearing be withdrawn without prejudice.

The date for the Final Decision and Order is August 5, 2005.

FINAL DECISION AND ORDER:

THE MATTER IS DISMISSED WITHOUT PREJUDICE.