

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Branford Board of Education

Appearing on Behalf of the Parents: Attorney Michael Perzin
Yolen & Perzin, LLC
700 State Street
New Haven, CT 06511

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

Appearing Before: Attorney Justino Rosado, Hearing Officer

ISSUES:

1. Is the Student a student who requires special education and related services as defined in 20 USC 1401 et seq?

FINAL ORDER AND DECISION

SUMMARY and PROCEDURAL HISTORY:

The Student is a 17 year old woman who has not been identified as entitled to receive a free appropriate public education (“FAPE”) as defined in Individuals with Disabilities Educational Act (IDEA) 20 U.S.C. §1401 et seq. and Connecticut General Statute §10-76a. At a PPT meeting, the Parents requested that the Student be identified as a Student entitled to receive a free appropriate public education as defined in IDEA. The Board refused the Parents request. On or about December 2, 2008, the Board received notice of the Parents request for due process. The parties had a meeting on January 26, 2009. An impartial hearing officer was appointed on December 2, 2008 and a pre-hearing conference was held on December 15, 2008. At the January 26, 2009 meeting the parties resolved the matter and on January 29, 2009 the Parents attorney advised the hearing officer that the matter was withdrawn without prejudice. The date for the mailing of the Final Order and Decision is February 15, 2009.

FINAL ORDER AND DECISION:

THE MATTER IS WITHDRAWN WITHOUT PREJUDICE.