

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Madison Board of Education

Appearing on behalf of the Parents: Attorney Howard Klebanoff  
Klebanoff & Alfano, P.C.  
433 South Main Street, Suite 102  
West Hartford, CT 06110

Appearing on behalf of the Board: Attorney Pamela J. Coyne  
Durant, Nichols, Houston, Hodgson  
& Cortese-Costa, P.C.  
1057 Broad Street  
Bridgeport, CT 06604-4219

Appearing before: Attorney Patricia M. Strong  
Hearing Officer

**FINAL DECISION AND ORDER**

**PROCEDURAL HISTORY**

This hearing was requested on September 20, 2004. Hearing Officer Gail Mangs was initially assigned to the case. She recused herself on October 19. This hearing officer was assigned to the case on October 22. A hearing was previously scheduled for November 9. On October 26, the Hearing Officer wrote to the parties regarding whether they intended to proceed with the hearing on November 9 and, if so, that they should file their witness lists and exhibits on or before November 2. On November 1, the Board's attorney wrote to the Hearing Officer that the parties had agreed on a settlement in principle and were working on the exact language of the Agreement. They requested until November 4 to file exhibits and witness lists and asked that the hearing on November 9 be held for introduction of evidence if the parties failed to reach a final agreement. On November 2, the Parents' attorney wrote to the Hearing Officer and requested a two-week continuance by joint agreement of the parties in order to finalize the agreement. He stated that he would withdraw the due process request "with prejudice" once the agreement is executed. On November 4, the Hearing Officer wrote to the parties and advised them that the hearing was cancelled and that the case would be dismissed without prejudice.

**FINAL DECISION AND ORDER**

It is ordered that this case shall be dismissed without prejudice.