

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Madison Board of Education

Appearing on behalf of the Parents: Attorney Jennifer D. Laviano, P.C.  
77 Danbury Road, Suite C-6  
Ridgefield, CT 06877

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

Appearing before: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**<sup>1</sup>

1. Failure to offer an appropriate program for the 2002-2003 school year.
2. Request for reimbursement of the parent's unilateral placement at Connecticut Center for Child Development in Milford, Connecticut.

**SUMMARY:**

The matter was assigned on September 6, 2002, and a notice of prehearing conference was sent via facsimile to both counsel. The prehearing conference convened on September 11 as scheduled. The Board counsel was available, but the Parent counsel was not available at the time of the prehearing. As a courtesy to Parent counsel, the prehearing conference was rescheduled for September 12, and a notice of the prehearing was sent via facsimile to both counsel. Once again, the prehearing conference convened as scheduled. Parent counsel was not available at the time of the prehearing conference, and Board counsel was available for the prehearing conference.

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<sup>1</sup> These issues were set forth in the request for hearing filed by Attorney Laviano on September 4, 2002.

**FINAL DECISION AND ORDER:**

The matter is **DISMISSED**, without prejudice.