

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Norwalk Board of Education

Appearing on behalf of the Parents:

Attorney Jennifer D. Laviano  
77 Danbury Road, Suite C-6  
Ridgefield, CT 06877

Appearing on behalf of the Board of Education:

Attorney Michelle C. Laubin  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before:

Attorney Justino Rosado  
Hearing Officer

**FINAL DECISION AND ORDER**

**PROCEDURAL HISTORY:**

The student is a six year three month old child who has been diagnosed as autistic and eligible for special education and related services as defined in 20 U.S.C. §1401 et seq. The parents requested a due process hearing on January 23, 2004. A pre-hearing conference was scheduled for February 6, 2004 and again on February 13, 2004. On neither occasion was the contact made with parent's attorney. The Board filed a Motion to Dismiss based on the parent's failure to proceed with its claim and not participating in the pre-hearing conference. The parent's attorney filed an Objection to the Motion to Dismiss.

A hearing date was set for March 26, 2004 to hear arguments on the Motion and to proceed with the due process hearing if the Motion was denied. At the hearing the parties were able to settle the matter and were allowed time to put their agreement in writing. The date for the mailing of the Final Order and decision is April 30, 2004. The parent submitted a letter to the hearing officer advising that agreement had been executed and that the matter was to be dismissed with prejudice.

**FINAL DECISION AND ORDER:**

The Matter is DISMISSED, WITH PREJUDICE.