

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Stamford Board of Education

Appearing on behalf of the Student: Michael Colombo, Jr., Esq.  
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11 North Main Street  
Norwalk, CT 06854

Appearing on behalf of the Brd. of Education: Attorney Andreana R. Bellach  
Shipman & Goodwin, L.L.P.  
300 Atlantic Street  
Stamford, CT 06901

Appearing before: Atty. Christine B. Spak, Hearing Officer

**FINAL DECISION**

The prehearing conference in this matter was held on September 18, 2006 and the Board was not available to participate. The factual basis underlying this action was the allegation that an assault had occurred in school. A hearing date was set and the parties convened. The Board filed a Motion to Dismiss. The Student did not comply with a number of procedural requirements including the five day rule, appeared through counsel at hearing without witnesses and was in general not prepared to go forward with this matter. The Student's main concern appeared to be the need to exhaust administrative remedies in regard to a civil suit they were pursuing. It was noted as of this date there is not a statute of limitations problem in regard to IDEA and that the dismissal without prejudice would allow the Student to re-file if such was deemed necessary at a later date and done in a timely manner so as not to go beyond the special education due process statute of limitations.

**FINAL DECISION AND ORDER:**

The hearing is dismissed without prejudice.