

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Cheshire 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 Marsha Belman Moses  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before: Attorney Mary Elizabeth Oppenheim  
Hearing Officer

**FINAL DECISION AND ORDER**

The matter was assigned on August 9, 2004, and a prehearing conference was held on August 11. After the prehearing conference, the Parents' attorney submitted a request for extension of time in accordance with Section 10-76h-9(e) of the Connecticut Regulations, which provides for one 30-day postponement for settlement discussions between the parties. This regulation states, in pertinent part, that the hearing officer has no authority to grant any further extensions for continued settlement discussions after the first one is granted.

The hearing was scheduled for October 21. On October 13, the Parents' attorney submitted a request for an extension of the mailing date of the decision, continuing the October 21 hearing to November 4, so that the settlement agreement could be finalized and executed. That request was denied. On October 14, the Parents' attorney submitted confirmation that the settlement agreement would not be finalized until after the scheduled hearing date.

**FINAL DECISION AND ORDER:**

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