

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student v. Enfield Board of Education

Appearing on behalf of the Parent:

Attorney Jennifer D. Laviano  
Law Office of Jennifer Laviano LLC  
76 Route 37 South  
Sherman, CT 06784

Appearing on behalf of the Board:

Attorney Anne H. Littlefield  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06103

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by the Student via Request for Impartial Special Education Hearing dated April 17, 2009. The Request was received by the Board of Education on April 21, 2009. The 30-day resolution period ran through May 21, 2009. The original deadline for mailing the final decision and order was July 5, 2009.

A pre-hearing conference was held on May 14, 2009. Attorney Jennifer Laviano appeared on behalf of the Student and Attorney Anne Littlefield appeared on behalf of the Board of Education. The following issues were identified:

1. Whether the Board of Education has an appropriate autism program available to Student within the District;
2. If the Board of Education does not have an appropriate autism program available to Student within the District, must the Student be placed out of the district at the Board of Education's expense in order to provide a free, appropriate public education?

The parties waived the resolution hearing and agreed to participate in mediation. The parties requested an extension of the deadline for mailing the final decision in order to allow them to pursue mediation. The request was granted after full consideration of the positions of the parties and the deadline for mailing the final decision and order was extended until August 4, 2009.

Via facsimile dated July 7, 2009, Attorney Laviano indicated that the parties were finalizing a settlement agreement and requested that the Parents be allowed to withdraw their request for due process hearing without prejudice.

**FINAL DECISION AND ORDER**

In light of the above facts, the above-captioned case is hereby dismissed without prejudice.