

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Appearing for the Parents:

Attorney Gerry McMahon
Law Offices of Gerry McMahon, LLC
98 Mill Plain Road, Suite 3B
Danbury, CT 06811

Appearing on behalf of the Board:

Attorney Marsha Moses
Berchem Moses, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Kelly Moyher, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Was an appropriate program offered to the Student by the Board for the 2018-2019 and 2019-2020 school years, including ESY for 2019?
2. If the Student was denied FAPE for during this time, is placement at The Southport School appropriate for the Student?
3. Are the Parents entitled to reimbursement of the October 30th, 2017 Psychological Evaluation by Dr. Sutera?
4. Is the Student entitled to compensatory education and/or to any other relief as deemed appropriate by the Hearing Officer?

PROCEDURAL HISTORY/SUMMARY:

The Parents filed the Due Process Complaint and Request for Hearing on August 14, 2019. The Hearing Officer was appointed on August 15, 2019. A Prehearing Conference was held on September 9, 2019. On October 25th, the Hearing Officer was notified by the Parents' Counsel that the due process complaint was being withdrawn.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.