

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. New Milford Board of Education

Appearing on behalf of the Parent:

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 Michael McKeon  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103

Appearing before:

Jane Ford Shaw, Esq.  
Hearing Officer

**FINAL DECISION AND ORDER**

**ISSUES:**

1. Did the Board offer and/or provide an appropriate program for the 2016-17 commencing in February 2017, 2017-18, 2018-19 school years, including the extended school years?
2. If not, is the Parent's unilateral placement to the Southport School, including extended school year programming, appropriate?
3. If the unilateral placement to the Southport is appropriate, should the Parent's be reimbursed for the cost of tuition and related expenses?
4. Is the Student entitled to compensatory education?

**PROCEDURAL HISTORY/SUMMARY:**

The Parents filed the Due Process Hearing Complaint on February 14, 2019. The Hearing Officer was appointed on February 14, 2019. A Pre-Hearing conference was held on March 12, 2019. The mailing date for the Final Memorandum of Decision was May 15, 2019. A Hearing was held on May 14, 2019 wherein the Parents withdrew their complaint with prejudice.

**FINAL DECISION AND ORDER:**

The matter is DISMISSED.