

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF OREGON  
for the  
OREGON DEPARTMENT OF EDUCATION**

IN THE MATTER OF:THE ) **FINAL ORDER OF DISMISSAL**  
EDUCATION OF )  
) OAH Case No. 2017-ABC-00455  
**STUDENT AND EUGENE SCHOOL** ) Agency Case No. DP 17-109  
**DISTRICT 4J** )

**FINDINGS OF FACT**

(1) On April 3, 2017, Parents filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of S.W. (Student).

(2) On April 4, 2017, the Department of Education referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Senior Administrative Law Judge (ALJ) Joe L. Allen to preside over the hearing in this matter.

(3) On or about May 1, 2017, Parents, through counsel Melissa D. Wischerath, notified the OAH that the parties had reached a settlement and that Parents wished to withdraw the hearing request with prejudice.

**ORDER**

The April 3, 2017 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

Joe L. Allen

\_\_\_\_\_  
Senior Administrative Law Judge  
Office of Administrative Hearings

**APPEAL PROCEDURE**

**NOTICE TO ALL PARTIES:** If you are dissatisfied with this Order you may, within 90 days after the mailing date on this Order, commence a nonjury civil action in any state court of competent jurisdiction, ORS 343.175, or in the United States District Court, 20 U.S.C. § 1415(i)(2). Failure to request review within the time allowed will result in **LOSS OF YOUR RIGHT TO APPEAL FROM THIS ORDER.**

**ENTERED** at Salem, Oregon this 25th day of May, 2017, with copies mailed to:

Jan Burgoyne, Oregon Department of Education, Public Services Building, 255 Capitol Street NE, Salem, OR 97310-0203.

**CERTIFICATE OF MAILING**

On May 25, 2017 I mailed the foregoing Final Order of Dismissal in OAH Case No. 2017-ABC-00455 to the following parties.

By: First Class Mail

Parent(s) of Student  
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**BY ELECTRONIC MAIL:**

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