

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

IN THE MATTER OF:THE EDUCATION OF)	AMENDED FINAL ORDER OF DISMISSAL¹
)	
STUDENT AND EUGENE SCHOOL DISTRICT 4J)	OAH Case No. 2017-ABC-01037 Agency Case No. DP 17-124

FINDINGS OF FACT

(1) On October 19, 2017, Parents filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of Student.

(2) On October 19, 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 April 5, 2018, Parents notified the OAH that they wished to withdraw the hearing request due to resolution of all issues after successful mediation.

ORDER

The October 19, 2017 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.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

¹ This amended final order corrects a scrivener's error in the caption of the original dismissal order issued April 5, 2018. No other alterations or amendments are intended by this amended order.

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 6th day of April, 2018, 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 April 6, 2018 I mailed the foregoing AMENDED FINAL ORDER OF DISMISSAL in OAH Case No. 2017-ABC-01037 to the following parties.

By: First Class Mail

Parent(s) of Student
701 W 40th Ave
Eugene OR 97405

Melissa Wischerath, Attorney at Law
Law Office Of M.d. Wischerath
PO Box 12263
Eugene OR 97440

Gustavo Balderas, Superintendent
Eugene School District 4J
200 N Monroe St
Eugene OR 97402

Joel Hungerford, Attorney at Law
Hungerford Law Firm
PO Box 3010
Oregon City OR 97045

BY ELECTRONIC MAIL:

Elliot Field, Legal Specialist
Department of Education
255 Capitol Street NE
Salem, OR 97310-0203

Ryan K Clark
Hearing Coordinator
Office of Administrative Hearings