

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

IN THE MATTER OF:THE)	FINAL ORDER
EDUCATION OF)	
)	OAH Case No. 2019-ABC-03323
E.W. AND MCMINNVILLE SCHOOL)	Agency Case No. DP 19-114
DISTRICT 40)	

FINDINGS OF FACT

1. On November 27, 2019, attorney Diane Wiscarson filed a Request for Due Process Hearing with the Oregon Department of Education (ODE) on behalf of Student and Parents. ODE subsequently referred the request to the Office of Administrative Hearings (OAH). The OAH assigned the case to Administrative Law Judge (ALJ) C. Meerdink.

2. On January 7, 2020, ALJ Meerdink held a prehearing conference (PHC), with Ms. Wiscarson representing Student and Parent. Attorney Joel Hungerford represented the District. During the PHC, the parties agreed to hold a hearing May 11-15, May 18-22, and June 1-5.

3. On March 11, 2020, Ms. Wiscarson notified OAH that the parties had resolved all issues in the matter, and requested that the Request for Due Process Hearing be dismissed with prejudice.

ORDER

Student's November 27, 2019 Request for Due Process Hearing in the above-captioned matter is **DISMISSED** with prejudice.

C. Meerdink

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 13th day of March, 2020, with copies mailed to:

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

CERTIFICATE OF MAILING

On March 13, 2020 I mailed the foregoing FINAL ORDER in OAH Case No. 2019-ABC-03323 to the following parties.

BY CERTIFIED MAIL:

Parent(s) of Student
2381 NW Grenfell Loop
Mcminnville OR 97128

Diane Wiscarson, Attorney at Law
Wiscarson Law PC
3330 NW Yeon Avenue, Suite 240
Portland OR 97210

Maryalice Russell, Superintendent
McMinnville School District 40
800 NE Lafayette Ave
McMinnville OR 97128

Joel Hungerford, Attorney at Law
The Hungerford Law Firm, L.L.P.
PO Box 3010
Oregon City OR 97045

Nancy J Hungerford, Attorney at Law
The Hungerford Law Firm, L.L.P.
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

Anesia N Valihov
Hearing Coordinator
Office of Administrative Hearings