

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

IN THE MATTER OF:THE EDUCATION OF D.G. AND SHERWOOD SCHOOL DISTRICT 88J))))))	FINAL ORDER OF DISMISSAL OAH Case No. 2020-ABC-03596 Agency Case No. DP 20-105
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FINDINGS OF FACT

1. On March 9, 2020, attorney Christine Furrer filed a Request for Due Process Hearing with the Oregon Department of Education (ODE) on behalf of Student and Parents. On March 10, 2020, ODE referred the request to the Office of Administrative Hearings (OAH). The OAH assigned the case to Administrative Law Judge (ALJ) Joe Allen.

2. On March 19, 2020, Ms. Furrer filed an Amended Request for Due Process Hearing with ODE. ODE subsequently forwarded on the amended request to OAH.

3. On March 25, 2020, School District attorney Richard Cohn-Lee requested that the case be reassigned to a different ALJ. OAH reassigned the case to ALJ C. Meerdink.

4. On April 23, 2020, ALJ Meerdink held a prehearing conference (PHC), with Ms. Furrer representing Student and Parents. Parents also participated in the PHC. Mr. Cohn-Lee represented the School District. Karen Dalbey and Erin Randalls also participated for the School District. At the request of both parties, ALJ Meerdink extended the due date for the final order in this case. The parties agreed to hold another PHC to allow for additional time for the parties to mediate a solution.

5. On May 22, 2020, ALJ Meerdink held another PHC, with Ms. Furrer representing Student and Parents. Parents also participated in the PHC. Mr. Cohn-Lee represented the School District. Ms. Dalbey and Ms. Randalls also participated for the School District. Although the parties had not yet reached a mediated agreement, both parties agreed to hold another PHC to allow for additional time for the parties to mediate a solution. That same day, Mr. Cohn-Lee provided written notice that the parties had agreed to extend the 45-day order deadline to engage in mediation.

6. On June 11, 2020, ALJ Meerdink held another PHC, with Ms. Furrer representing Student and Parents. Parents also participated in the PHC. Mr. Cohn-Lee represented the School District. Ms. Dalbey and Ms. Randalls also participated for the School District. The parties stated that they had agreed upon a mediated solution, and that the agreement would be signed by

June 12, 2020.

7. On June 15, 2020, Ms. Furrer emailed the OAH a motion to dismiss the amended request with prejudice, as the parties had executed a mediated agreement in the case.

ORDER

The March 19, 2020 Amended 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 18th day of June, 2020, with copies mailed to:

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

CERTIFICATE OF MAILING

On June 18, 2020, I mailed the foregoing Final Order of Dismissal in OAH Case No. 2020-ABC-03596 to the following parties.

By: Certified Mail

Parent(s) of Student
c/o Christine Furrer, Fischer Family Law, PC
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BY ELECTRONIC MAIL:

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