

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF OREGON  
for the  
SUPERINTENDENT OF PUBLIC INSTRUCTION**

**IN THE MATTER OF THE EDUCATION OF**    ) **FINAL ORDER OF DISMISSAL**  
  )  
Z.T. and Beaverton School District        ) Case No. DP 10-101  
  )

**FINDINGS OF FACT**

(1) On January 6, 2010, Z.T.'s parents, by and through their attorney, requested a due process hearing. The matter was referred to the Office of Administrative Hearings on January 6, 2010, for hearing, and the matter was assigned to Administrative Law Judge (ALJ) Stephen H. Elmore. A pre-hearing teleconference was set for February 10, 2010.

(2) ALJ Elmore conducted the February 10, 2010, pre-hearing conference. The parents' attorney and the attorney for the District informed ALJ Elmore that a mediation session had been scheduled for April 21, 2010, and requested waiver of the 45-day deadline to allow the parties to work toward resolution. A second pre-hearing conference was set for April 27, 2010.

(3) ALJ Elmore conducted the April 27, 2010, pre-hearing conference. The parents' attorney and the attorney for the District informed ALJ Elmore that the parties had reached agreement resolving all issues. The parties subsequently executed a written agreement memorializing the resolution of all issues, and on May 13, 2010, the parents' attorney requested that the parents' request for a due-process hearing be dismissed with prejudice. Because no issues remain to be resolved, a contested case proceeding no longer is required.

**ORDER**

All issues having been resolved, the hearing request of January 6, 2010, is **DISMISSED** with prejudice.

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Stephen H. Elmore,  
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 17th day of May, 2010 with copies mailed to:

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

## CERTIFICATE OF SERVICE

On this 17th day of May, 2010, I served a copy of the Final Order of Dismissal for Case No. DP 10-101

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BY SHUTTLE MAIL:

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