

**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**
))
Student and Greater Albany School District) Case No. DP 11-108
))

FINDINGS OF FACT

(1) On February 8, 2011, Father filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of himself and Student.

(2) On May 11, 2011, Senior Administrative Law Judge Ken Betterton issued a Ruling on Summary Determination dismissing five issues presented in the complaint. Father withdrew the seventh issue, leaving only one issue for hearing.

(3) On July 26, 2011, Father, by and through his attorney of record, notified the Office of Administrative Hearings, via e-mail, that he wished to withdraw the hearing request without prejudice.

ORDER

The February 8, 2011 request for a due process hearing has been withdrawn and the case is dismissed without prejudice.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 2nd day of August, 2011 with copies mailed to:

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