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 Astoria School District)	Case No. DP 13-101

FINDINGS OF FACT

- (1) On February 4, 2013, Parents filed a request for a due process hearing. On February 7, 2013, the Oregon Department of Education referred the request to the Office of Administrative Hearings.
- (2) Pre-Hearing Conferences were held on March 8, 2013 and on May 8, 2013. Diane Wiscarson represented Student. Richard G. Cohn-Lee represented the Astoria School District. The parties waived the 45-day rule so they could mediate. The matter settled at mediation. On May 18, 2013, Ms. Wiscarson requested that the case be dismissed with prejudice.

ORDER

Parent's request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

D. McGorrin
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 4th day of June 2013 with copies mailed to:

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

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CERTIFICATE OF SERVICE

On this 4th day of June 2013, I served a copy of the Final Order of Dismissal in Case No. DP 13-101 on the following:

BY FIRST CLASS MAIL:

Jody Krieger 340 South Street Astoria OR 97103

Diane Wiscarson Attorney at Law 510 SW 3rd Avenue, Suite 439 Portland, OR 97204

Richard G Cohn-Lee Attorney at Law PO Box 3010 Oregon City, OR 97045

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<u>Lucy Garcia</u> Hearings Coordinator