

**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) Case No. DP 13-106
SCHOOL DISTRICT)

FINDINGS OF FACT

(1) On April 17, 2013, Parent filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of R.R. (Student).

(2) On May 23, 2013, Senior Administrative Law Judge (ALJ) Joe L. Allen held a prehearing conference. Diane Wiscarson, counsel for Parent, and Rich Cohn-Lee, counsel for the District, participated in the conference. At the conference, counsel for both parties informed the ALJ that mediation was set for June 5, 2013. The ALJ set this matter for hearing on December 2 through 13, 2013.

(3) On or about July 25, 2013, Parent, through counsel Diane Wiscarson, notified the Office of Administrative Hearings that the parties had reached a settlement and that Parent wished to withdraw the hearing request.

ORDER

The April 17, 2013 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.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 30th day of July 2013 with copies mailed to:

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

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing FINAL ORDER in Case No. DP 13-106 on the foregoing parties on the 30th day of July 2013 by depositing a copy of said document in a sealed envelope in the United States Mail at Salem, Oregon, with the postage thereon fully prepaid, and addressed to:

Parents
2223 Jefferson Ct SE
Albany, OR 97322

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

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

Maria Delapoer, Superintendent
Greater Albany Public SD
718 SW 7th Street
Albany, OR 97321-2320

Claudette Rushing, Legal Specialist
Department of Education
255 Capitol Street NE
Salem, OR 97310-0203

Ryan Clark

Hearings Coordinator
Office of Administrative Hearings