

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

IN THE MATTER OF:THE)	AMENDED FINAL ORDER OF
EDUCATION OF)	DISMISSAL¹
)	
STUDENT AND BROOKINGS-)	OAH Case No. 2017-ABC-01013
HARBOR SCHOOL DISTRICT 17C)	Agency Case No. DP 17-116

FINDINGS OF FACT

(1) On October 17, 2017, Parents filed a request for due process hearing with the State Superintendent of Public Instruction, on behalf of Student, against the Brookings Harbor School District (District) and the Oregon Department of Education (ODE).

(2) On October 17, 2017, the ODE referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Senior Administrative Law Judge (ALJ) Joe L. Allen to preside over the hearing in this matter.

(3) On October 27, 2017, the District filed a Motion for Determination of Sufficiency of Request for Hearing.

(4) On November 1, 2017, Parents filed a response to the District's sufficiency challenge.

(5) On November 7, 2017, the ALJ granted the District's motion but permitted Parents to file an amended request for hearing.

(6) Parents filed Student's Amended Complaint on November 16, 2017.

(7) On or about November 30, 2017, Parents notified the OAH that they wished to withdraw the hearing request due to resolution of all issues after successful mediation.

ORDER

The November 1, 2017 request for a due process hearing has been withdrawn and the case is dismissed with prejudice as to all parties.

¹ The initial Final Order of Dismissal issued December 1, 2017 erroneously omitted ODE as a party. This Amended Final Order is issued to correct that error.

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 1 day of December, 2017, with copies mailed to:

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

CERTIFICATE OF MAILING

On December 1, 2017, I mailed the foregoing **AMENDED FINAL ORDER OF DISMISSAL** in OAH Case No. 2017-ABC-01013 to the following parties.

By: First Class Mail

Parent(s) of Student
1309 Ransame Ave, Unit B
Brookings OR 97415

Joel Greenberg, Attorney at Law
Disability Rights Oregon
610 SW Broadway Ave, Ste 200
Portland OR 97205

Sean Gallagher, Superintendent
Brookings-Harbor School District 17C
629 Easy St
Brookings OR 97415

Joel Hungerford, Attorney at Law
PO Box 3010
Oregon City OR 97045

BY ELECTRONIC MAIL:

Elliot Field, Legal Specialist
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255 Capitol Street NE
Salem, OR 97310-0203

Alesia Vella for Lucy M Garcia
Hearing Coordinator
Office of Administrative Hearings