

**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 Brookings-Harbor School District     )     Case No. DP 11-102A  
  )     )

**FINDINGS OF FACT**

(1) On January 10, 2011, parent filed a request for a due process hearing with the State Superintendent of Public Instruction.

(2) A telephone pre-hearing conference was held on February 15, 2011. Parent was represented by Attorney Diane Wiscarson. The Brookings-Harbor School District was represented by Attorney Richard Cohn-Lee. A further telephone pre-hearing conference was scheduled for April 13, 2011.

(3) On April 10, 2011, parent withdrew the request for hearing and agreed to a dismissal of the case.

**ORDER**

The January 10, 2011 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

  
\_\_\_\_\_  
Ken Betterton, 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 13th day of April, 2011 with copies mailed to:

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