

**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 North Clackamas School District     )     Case No. DP 11-126  
  )     )

**FINDINGS OF FACT**

(1) On September 9, 2011, Student's Parents filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of Student.

(2) On October 17, 2011, Senior Administrative Law Judge Joe L. Allen held a prehearing conference. At the conference, the parties informed ALJ Allen that mediation in this matter was scheduled for October 24, 2011. At the parties' request, ALJ Allen scheduled a status conference for November 4, 2011 to allow appropriate time for settlement discussion.

(3) On November 4, 2011, ALJ Allen held a status conference to determine whether any issues remained for hearing after mediation. At the conference, counsel for both parties represented they were close to an agreement and believed further settlement talks could resolve all issues without the need for hearing. A second status conference was scheduled for November 21, 2011.

(4) On November 18, 2011, Counsel for Parents, Lana Traynor, informed the OAH that the parties had reached an agreement on all issues. Ms. Traynor indicated the parties were in the process of memorializing the agreement, after which Parents would request dismissal of the due process complaint. The status conference set for November 21, 2011 was cancelled pending dismissal.

(5) On December 14, 2011, Parents notified the Office of Administrative Hearings, via email, that they wished to withdraw the hearing request with prejudice.

**ORDER**

The September 9, 2011 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.



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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 14th day of December, 2011 with copies mailed to:

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