## 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 Scio School District	)	Case No. DP 12-114

#### FINDINGS OF FACT

- (1) On December 10, 2012, Parent filed a request for a due process hearing. On that same date, the Oregon Department of Education referred the request to the Office of Administrative Hearings.
- (2) A Pre-Hearing Conference was held on January 14, 2013. Kelly Norr represented Student. Parent appeared on behalf of Student.
- (3) On January 22, 2013, The Office of Administrative Hearings received an email from Parent stating that the matter had been resolved, and requesting that the matter be dismissed with prejudice.

#### **ORDER**

Parent's request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

/s/ Denise Marie 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 23rd day of January 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**

On this 23rd day of January 2013, I served a copy of the Final Order of Dismissal for Case No. DP 12-114 on the following:

## BY FIRST CLASS AND ELECTRONIC MAIL:

Student c/o Hatlen Center for the Blind 2430 Road 20, B112 San Pablo, CA 94806-5006

Parent of Student 2007 Colestin Road Ashland, OR 97520

Kelly Norr, AAL Garrett Hemann Robertson PC PO Box 749 Salem, OR 97308

## **BY FIRST CLASS MAIL**:

Gary Tempel, Superintendent Scio School District 38875 NW 1st Avenue Scio, OR 97374-9502

## BY SHUTTLE MAIL:

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

/s/Joanne Call
Hearing Coordinator