

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

IN THE MATTER OF:THE EDUCATION OF L.C. AND PARKROSE SCHOOL DISTRICT 3) FINAL ORDER OF DISMISSAL)) OAH Case No. 2017-ABC-01063) Agency Case No. DP 17-129
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FINDINGS OF FACT

(1) On October 26, 2017, Parents filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of L.C. (Student). The Department of Education referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Administrative Law Judge (ALJ) Jill Marie Messecar to preside over the hearing in this matter.

(2) On December 1, 2017, ALJ Messecar conducted a prehearing conference by telephone. Richard Cohn-Lee, attorney at law, appeared on behalf of the Parkrose School District 3 (the District). Parent, Ms. Meagan Crowell, appeared to represent herself and Student. At the prehearing conference, Ms. Crowell and the District requested the 45-day deadline for issuing the Final Order be extended to a date certain. ALJ Messecar granted the request and scheduled the hearing for February 27-28, 2018 and the final order to be issued on May 4, 2018.

(3) The parties were scheduled to attend a mediation session on January 24, 2018.

(4) On January 25, 2018, Ms. Crowell notified the OAH that the parties had settled the matter and wished to withdraw the hearing request with prejudice.

ORDER

The October 26, 2017 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

Because Parents have withdrawn their hearing request, a contested case hearing is no longer necessary and the hearing currently set for February 27-28, 2018 is cancelled.

Jill Marie Messecar

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 2nd day of February, 2018, 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 February 2, 2018 I mailed the foregoing Final Order of Dismissal in OAH Case No. 2017-ABC-01063 to the following parties.

By: First Class Mail

Parent(s) of Student
13000 NE Broadway
Portland OR 97230

Karen Fischer Gray, Superintendent
Parkrose School District 3
10636 NE Prescott St
Portland OR 97220

Rich Cohn-Lee, Attorney at Law
Joel Hungerford, Attorney at Law
The Hungerford Law Firm LLP
PO Box 3010
Oregon City OR 97045

BY ELECTRONIC MAIL:

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

Lucy M Garcia
Hearing Coordinator
Office of Administrative Hearings