

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

IN THE MATTER OF:THE EDUCATION OF  <b>K.H. AND PORTLAND SCHOOL DISTRICT 1J</b>	) <b>FINAL ORDER</b> ) ) OAH Case No. 2022-ABC-04997 ) Agency Case No. DP 21-111
---	---

**FINDINGS OF FACT**

1. On October 28, 2021, Parent filed a Request for Due Process Hearing with the Oregon Department of Education (ODE) on behalf of Student and Parents. On November 1, 2021, ODE referred the request to the Office of Administrative Hearings (OAH). The OAH assigned the case to Administrative Law Judge (ALJ) C. Meerdink.

2. On December 6, 2021, ALJ Meerdink held a prehearing conference (PHC), with Parent represented Student and Parents. Attorney Erin Burris represented the School District. Brian Baker also participated for the School District. At the request of both parties, ALJ Meerdink extended the due date for the final order in this case. The parties agreed to hold another PHC to allow for additional time for the parties to mediate.

3. On January 6, 2022, ALJ Meerdink held another PHC. Parent again appeared and represented Parents and Student. Ms. Burris again represented the District, with Mr. Baker participating. The parties again agreed to additional time for mediation, and agreed to another PHC.

4. On February 2, 2022, ALJ Meerdink held another PHC. Parent again appeared and represented Parents and Student. Ms. Burris again represented the District, with Mr. Baker participating. The parties again agreed to additional time for mediation, and agreed to another PHC.

5. On April 11, 2022, ALJ Meerdink held another PHC. Parent again appeared and represented Parents and Student. Ms. Burris again represented the District, with Mr. Baker participating. At that time, the parties indicated that they had an agreement in principle, but were finalizing the details of the agreement.

6. On June 6, 2022, Parent emailed the OAH a motion to dismiss the request with prejudice, as the parties had executed a mediated agreement in the case.

///

## ORDER

The October 28, 2021 Request for Due Process Hearing in the above-captioned matter is DISMISSED with prejudice.

C. Meerdink

---

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 @ day of @, 201@, 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 June 8, 2022 I mailed the foregoing FINAL ORDER issued on this date in OAH Case No. 2021-ABC-04997.

By: Certified Mail

Parent(s) of Student  
50 SW Ridge Dr  
Portland OR 97219

Theodore Heus  
Quinn & Heus, LLC  
9450 Gemini Dr  
PMB 22366  
Beaverton OR 97008

Brian Baker, Attorney for School District  
501 N Dixon St  
Portland OR 97227

Erin M. Burris, Attorney for School District  
3400 U.S. Bancorp Tower  
111 S.W. Fifth Avenue  
Portland OR 97204

By: Electronic Mail

Mike Franklin, Agency Representative  
Oregon Department of Education  
255 Capitol St. NE  
Salem, OR 97310

Cortney Hokanson  
Hearing Coordinator