

**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 Portland Public School District    )   Case No. Case No.: DP 11-106  
                                                          )

**FINDINGS OF FACT**

(1) On February 15, 2011, Parents filed a request for due process hearing with the Oregon Department of Education (Department) on behalf of Parents and Student. The Department referred the request to the Office of Administrative Hearings (OAH) on February 15, 2011. The OAH assigned the case to Senior Administrative Law Judge John Mann.

(2) ALJ Mann conducted pre-hearing conferences by telephone on March 21, April 1, and May 10, 2011. Parents and student were represented by their attorney, Diane Wiscarson. The District was represented by its attorney, Graham Hicks. The parties requested to waive the 45 day deadline to issue the order in this case and a hearing was scheduled for October 17 through 21, 2011.

(2) On July 25, 2011, Ms. Wiscarson notified the Office of Administrative Hearings, via e-mail, that the parties had resolved all issues in dispute and requested that the hearing request be dismissed with prejudice.

**ORDER**

The February 15, 2011 request for a due process hearing has been withdrawn and the case is dismissed with prejudice.



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John Mann, 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 25th day of July, 2011 with copies mailed to:

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