

**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 Jackson County School District) Case No. DP 12-111
)

FINDINGS OF FACT

(1) On September 11, 2012, Parents filed a request for a due process hearing. On September 12, 2012, the Oregon Department of Education referred the request to the Office of Administrative Hearings.

(2) A Pre-Hearing Conference was held on October 12, 2012. Ross Day represented Student. Richard G. Cohn-Lee represented the Jackson County School District. A due process hearing was scheduled for November 13-15, 2012. A second Pre-Hearing Conference was held on October 29, 2012. Mr. Cohn-Lee appeared on behalf of the Jackson County School District. No one appeared on behalf of Student. Mr. Cohn-Lee represented that the matter had settled at mediation. Mr. Day subsequently provided a request for dismissal of Parents' due process complaint.

ORDER

Parents' request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

 /s/ Denise Marie McGorin
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 1st day of November 2012 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 1st day of November 2012, I served a copy of the Final Order of Dismissal for Case No. DP 12-111 on the following:

FIRST CLASS MAIL:

Parent(s) of Student
309 Shasta Avenue
Eagle Point, OR 97524

Ross Day, AAL
T. Beau Ellis, AAL
Day Law Group, PC
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Oregon City, OR 97045

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PO Box 548
Eagle Point, OR 97524-0548

BY SHUTTLE MAIL:

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

/s/Joanne Call
Hearing Coordinator