

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

IN THE MATTER OF THE EDUCATION) **FINAL ORDER OF DISMISSAL**
OF)
) Case No.: 16-109
STUDENT AND FOREST GROVE)
SCHOOL DISTRICT

FINDINGS OF FACT

(1) On June 15, 2016, Parent filed a request for a due process hearing (hearing request) on behalf of Parent and Student with the Oregon Department of Education, alleging Forest Grove School District (District) had failed to provide a free and appropriate education for Student as required under the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA), 20 USC §§ 1400 *et seq.* The parties met for a resolution session on June 24, 2016.

(2) The matter was referred to the Office of Administrative Hearings (OAH) on June 15, 2016, to be set for hearing and was assigned to Senior Administrative Law Judge (ALJ) Bernadette H. Bignon.

(3) On June 28, Parent informed the OAH that the parties had reached an agreement on all issues raised in the June 15, 2016 request for a due process hearing. Parent therefore requested that the request for due process hearing be dismissed.

(4) Accordingly, based on Parent’s request, and representation that the parties have settled by agreement the issues raised in the June 15, 2016 due process hearing request, a contested case proceeding is no longer required.

ORDER

The hearing request of June 15, 2016, regarding issues raised by Parent and Student against Forest Grove School District having been withdrawn, is **DISMISSED**.

Bernadette H. Bignon

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 5th day of July, 2016, with copies mailed to:

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

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing FINAL ORDER OF DISMISSAL in Case No. DP 16-109 on the foregoing parties on the 5th day of July 2016 by depositing a copy of said document in a sealed envelope in the United States Mail at Salem, Oregon, with the postage thereon fully prepaid, and addressed to:

Parent(s) of MS
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Alesia Vella for Lucy Garcia
Hearing Coordinator
Office of Administrative Hearings