

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

IN THE MATTER OF THE ) **FINAL ORDER**  
EDUCATION OF )  
) OAH Case No. 2021-ABC-04602  
**A.A. AND WEST LINN-** ) Agency Case No. DP 21-107  
**WILSONVILLE SCHOOL** )  
**DISTRICT 3J** )

**HISTORY OF THE CASE**

On May 28, 2021, Ms. Diane Wiscarson and Ms. Taylor Lewis, counsel for Parents, filed a Due Process Complaint with the Oregon Department of Education (ODE) on behalf of Student A.A. and Parents. ODE subsequently referred the request to the Office of Administrative Hearings (OAH). The OAH assigned the case to Administrative Law Judge (ALJ) Jessica E. Toth for hearing.

On July 16, 2021, Parents' counsel filed a Second Amended Due Process Complaint, which became the operative complaint in this case. On July 1 and August 31, 2021, the parties participated in telephonic prehearing conferences. The ALJ set the matter for hearing from November 1, 2021 through November 15, 2021.

On October 27, 2021, Mr. Joel Hungerford, counsel for West Linn-Wilsonville School District 3J, notified the OAH via email which included Parents' counsel, that the parties had reached a final resolution. On November 1, 2021, Ms. Lewis notified the OAH, via email which included the school district's counsel, that Parent requested that OAH issue a final order dismissing the matter with prejudice.

**ORDER**

The July 16, 2021 Second Amended Due Process Complaint in the above-captioned matter is **DISMISSED** with prejudice and all upcoming dates associated with the matter have been vacated by the OAH.

**Jessica E. Toth**  
\_\_\_\_\_  
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 November 2021, with copies mailed to:

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

**CERTIFICATE OF MAILING**

On November 2, 2021, I mailed the foregoing Final Order in OAH Case No. 2021-ABC-04602 to the following parties.

By: Certified Mail

Parent(s) of Student  
2030 Alpine Drive  
West Linn OR 97068

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Kathy Ludwig, Superintendent  
West Linn-Wilsonville School District 3J  
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**BY ELECTRONIC MAIL:**

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Lucy M Garcia  
Hearing Coordinator  
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