

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

IN THE MATTER OF:THE) **FINAL ORDER OF DISMISSAL**
EDUCATION OF)
)
STUDENT AND PORTLAND) OAH Case No. 2023-ABC-05906
SCHOOL DISTRICT 1J) Agency Case No. DP 23-104

FINDINGS OF FACT

(1) On March 31, 2023, Parent filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of Student.

(2) On April 4, 2023, the Department of Education referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Senior Administrative Law Judge (ALJ) Joe L. Allen to preside over the hearing in this matter.

(3) On June 15, 2023, ALJ Allen convened a prehearing conference. Attorneys Melissa Rawlinson and Andrea Shiers appeared on behalf of Portland Public School District 1J (District). Parent appeared *pro se*. At the conference, the parties reported ongoing settlement negotiations and requested to postpone the prehearing conference to allow for continued settlement discussions.

(4) On August 3, 2023, Parent telephoned the OAH, reported the parties had reached a settlement agreement on all issues in the due process complaint and requested dismissal of the complaint. On August 9, 2023, Counsel for the District confirmed settlement via email. On that same date, mediator Sara Matarazzo provided the OAH with a copy of the fully executed settlement agreement, which included a release of all claims by Parent and agreement to dismiss the due process complaint with prejudice.

ORDER

Parent's request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

/s/ Joe L. Allen
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.**

SERVICEMEMBERS' CIVIL RELIEF ACT

Unless otherwise stated in this order, the Office of Administrative Hearings (OAH) has no reason to believe that a party to this proceeding is subject to the Servicemembers' Civil Relief Act (SCRA). If a party to this proceeding is a servicemember who did not appear for the hearing, within the servicemember's period of service, or 90 days after their termination of service, that party should immediately contact the agency to address any rights they may have under the SCRA.

CERTIFICATE OF MAILING

On August 9, 2023 I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2023-ABC-05906 to the following parties.

BY: CERTIFIED MAIL:



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