

**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 BEND-LAPINE** )  
**ADMINISTRATIVE SCHOOL** ) OAH Case No. 2023-ABC-06133  
**DISTRICT 1** ) Agency Case No. DP 23-110

**FINDINGS OF FACT**

(1) On August 28, 2023, Parent filed a request for due process hearing with the State Superintendent of Public Instruction on behalf of Student.

(2) On August 28, 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 December 14, 2023, Parent, through counsel Alex Hagel, filed a motion to dismiss. In the motion, Parent notified the OAH that a contested case hearing was no longer necessary based on resolution of all issues in the due process complaint and asked the ALJ to dismiss the 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Parent’s request for a due process hearing has been withdrawn and the case is dismissed with prejudice.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 December 14, 2023, I mailed the foregoing Final Order of Dismissal in OAH Case No. 2023-ABC-06133 to the following parties.

By: First Class and Certified Mail

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