

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

IN THE MATTER OF:THE EDUCATION OF)	FINAL ORDER OF DISMISSAL
)	
STUDENT AND PORTLAND SCHOOL DISTRICT 1J)	OAH Case No. 2024-ABC-06512
)	Agency Case No. DP 24-012 Portland
)	
)	

FINDINGS OF FACT

(1) On May 6, 2024, attorney Kim Sherman filed a request for expedited due process hearing with the State Superintendent of Public Instruction on behalf of Parents and Student.

(2) On May 6, 2024, the Department of Education referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Senior Administrative Law Judge (ALJ) Bradley A. Schmidt to preside over the hearing in this matter.

(3) On May 14, 2024, the OAH scheduled a prehearing conference to be held by telephone on May 15, 2024, and issued a Notice of Prehearing Conference to the parties.

(4) At the prehearing conference on May 15, 2024, Ms. Sherman notified the ALJ that Parents wished to withdraw the hearing request to facilitate resolution of the issues within the due process complaint without the need to hold an expedited hearing. Later that day, Ms. Sherman provided the OAH with a written withdrawal of the hearing request.

ORDER

Parents' request for a due process hearing has been withdrawn and the case is dismissed without prejudice.

Bradley A. Schmidt
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 May 16, 2024 I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2024-ABC-06512 to the following parties.

By: Certified Mail:

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