BEFORE THE HEARING OFFICER FOR THE STATE DEPARTMENT OF EDUCATION

, by and through his parent, and stepparent,)	EH-16-05-20A
, and stopparont,)	
Student, Petitioner,)	ORDER
and)	OKDEK
HANSEN SCHOOL DISTRICT NO. 415,)	
School District, Respondent.)	
	-/	

A hearing was held on August 11, 2016 at the Hansen Junior/Senior High School Behavioral Intervention Room. Present at the hearing were and on their own behalf and on behalf of the Student. Present on behalf of Hansen School District was , MSBT Law, Chtd, Hansen School District, Special Services Director and Hansen School District, Superintendent.

The proceedings were transcribed by Record, Certified Court Reporter.

Exhibits were made part of the Record by Stipulation and are included in the Transmittal of the Record.

After Exhibits had been marked and made part of the Record, the Parents requested an opportunity to confer about how best to proceed. Upon the Parents and the District identifying what they believed were the issues for hearing, the Parents requested an opportunity to withdraw their request for a Due Process Hearing.

ORDER 1

After conferring with the parties off the Record, the parties then agreed on the Record to participate in mediation with the assistance of a mediator provided by the Office of Dispute Resolution, State Department of Education.

The parties also agreed to permit the Parents to withdraw their Request for a Due Process Hearing without prejudice.

The parties having stipulated on the Record;

IT IS THEREFORE ORDERED, that the request for a Due Process Hearing shall be and is hereby dismissed without prejudice.

DATED this ____ day of August, 2016.

Edwin L. Litteneker Hearing Officer

ORDER 2

I DO HEREBY CERTIFY that a true And correct copy of the foregoing Document was:

	Mailed by regular first class mail, And deposited in the United States Post Office
X	Sent by email
	Sent by facsimile
	Sent by Federal Express, overnight Delivery
(=	Hand delivered

To:

Lyndon Nguyen
MSBT Law, Chtd.
950 W. Bannock Street, Suite 520
Boise, Idaho 83702
lpn@msbtlaw.com

Paul M. and Ronda R. Melugin 3033 N. 3500 E Kimberly, Idaho 83341 Rmclugin1066@gmail.com

Melanie Reese
Dispute Resolution Coordinator
Department of Education
P.O. Box 83720
Boise, ID 83720-0027
mreese@sde.idaho.gov

On this Hay of June, 2016.

Edwin L. Litteneker

ORDER 3

BEFORE THE HEARING OFFICER FOR THE

IDAHO DEPARMENT OF EDUCATION

D.M., by and through his parent,) EH-16-05-20A
PAUL MELUGIN, and stepparent, RONDA)
MELUGIN,)
Charlest Datitions)
Student, Petitioner,) TRANSMITTAL
and	OF THE RECORD
HANSEN SCHOOL DISTRICT NO. 415,))
School District, Respondent.)
).

- I, Edwin L. Litteneker, the designated Hearing Officer for the above-entitled matter hereby transmits to the Department of Education the following record:
 - 1. Expedited Due Process Hearing Request Form, dated May 20, 2016.
 - 2. Notice of Appearance Lyndon Nguyen, MSBT Law, dated May 23, 2016.
 - Respondent's Motion to Dismiss Expedited Hearing Request, dated May
 23, 2016.
 - Letter from Lyndon Nguyen to Paul & Rhonda Melugin, dated May 23,
 2016.
 - 5. Email from Lyndon Nguyen to Melugin, dated May 24, 2016.
 - 6. Notice of Scheduling Conference by Telephone, dated May 26, 2016 with email transmittal.
 - 7. Email from Lyndon Nguyen to Hearing Officer, dated May 26, 2016.

- 8. Pre Hearing Scheduling Order, dated July 4, 2016.
- Order Permitting Amended Filing of a Request for a Due Process Hearing, dated June 3, 2016.
- 10. Written Request from Melugin for Due Process Hearing Request in place of Expedited Hearing Request, dated June 6, 2016.
- Motion to Vacate Pre Hearing Scheduling Order and Reset, dated June 7,
 2016.
- 12. Notice of Scheduling Conference by Phone, dated June 15, 2016.
- 13. Email from Lyndon Nguyen, dated June 23, 2016 regarding Proposed Scheduling Order.
- Email from Lyndon Nguyen, dated June 28, 2016 with attached
 Stipulation to Vacate Pre Hearing Scheduling Order and Reset.
- 15. Another Pre Hearing Scheduling Order, dated June 30, 2016.
- 16. Respondent's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment and Memorandum in Support Thereof, dated July 13, 2016 with attachments.
- 17. Decision on Pre-Hearing Motions, dated July 29, 2016.
- 18. Respondent's List of Proposed Exhibits, dated August 4, 2016.
- 19. Respondent's List of Proposed Witnesses, dated August 4, 2016.
- 20. Email from Lynden Nguyen's office, dated August 8, 2016 regarding subpoenas.
- 21. Petitioner's Proposed Witness and Exhibits List, dated August 4, 2016.

- 22. Email from Hearing Officer to Lynden Nguyen, dated August 8, 2016 regarding subpoenas.
- 23. Email from Hearing Officer to Lynden Nguyen's office with issued Subpoenas, dated August 8, 2016.
- 24. District's Exhibit List.
- 25. Petitioner's Exhibit 100 (Exhibit 101 was not made part of the Record and is transmitted herein).
- 26. District's Exhibits #'s. 501-537.
- 27. Order, dated August 17, 2016.

Dated this 17 day of August, 2016.

Edwin L. Litteneker Hearing Officer

and correct copy of the foregoing
document was:
Mailed by regular first class mail,And deposited in the United StatesPost Office
Sent by email
Sent by facsimile
Sent by Federal Express, overnight Delivery
Hand delivered
To:
Lyndon Nguyen MSBT Law, Chtd. 950 W. Bannock Street, Suite 520 Boise, Idaho 83702 lpn@msbtlaw.com
Paul M. and Ronda R. Melugin 3033 N. 3500 E Kimberly, Idaho 83341 Rmelugin 1066@gmail.com
Mailed by regular first class mail, And deposited in the United States Post Office with the original Administrative Record attached
To: Melanie Reese Dispute Resolution Coordinator P.O. Box 83720 Boise, Idaho 83720-0027
DATED this 17 day of August, 2016.
Ediller
Edwin L. Litteneker