

U.S. Department of Labor

Office of Administrative Law Judges
Washington, DC



In the Matter of

ILLINOIS SCHOOL FOR THE DEAF
Jacksonville, Illinois
and
ILLINOIS STATE DEPARTMENT OF
REHABILITATION SERVICE,
and
ILLINOIS STATE BOARD OF EDUCATION :
Respondents :

Case No. 84-ESA-01001

For Illinois Department of Rehabilitation
Jacqueline Lusty, Esq.

For Illinois State Board of Education
Julis Quinn Dempsey, Esq.

For the Office of Civil Rights
U.S. Department of Education
Mary Beth Walz, Esq. & Richard Foster, Esq.

DECISION AND ORDER

The Assistant Secretary for Civil Right of the United States Department of Education by motion dated August 21, 1985, stated as follows:

In a Notice of Opportunity for Hearing dated March 9, 1984, the Assistant Secretary gave Respondents an opportunity to be heard regarding allegations that the Respondents violated Section 504 of the Rehabilitation Act of 1973 and the implementing regulations. On July 29, 1985, OCR and the Respondents finalized a settlement agreement whereby Respondents agree to admit qualified handicapped students and not to discharge those students until it has met specified due process standards and procedures. Respondents also agree to submit to OCR the information needed by OCR to monitor the agreement. The settlement agreement is attached to this motion.

There being no remaining dispute between the parties with regard to the allegations raised in Docket No. 84-504-10, and in reliance upon the assurances made by Respondents in the attached settlement agreement, the Assistant Secretary moves that the instant administrative proceeding be dismissed without prejudice.

ORDER

There being no objection the matter is ORDERED Dismissed with prejudice subject to the terms of the settlement.

GLENN ROBERT LAWRENCE
Administrative Law Judge

Dated: OCT 18 1985
Washington, D.C.

GRL:crg