



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

Application of

**THE NEW YORK STATE
EDUCATION DEPARTMENT,**

Applicant

**Docket No. 92-116-R
Recovery of Funds
Proceedings**

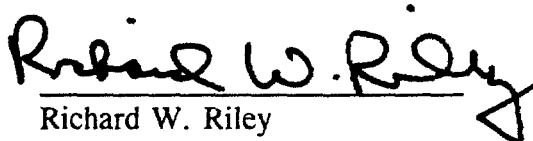
ACN: NDD-NY-G-9208

DECISION OF THE SECRETARY

This matter comes before the Secretary as a result of the joint pleading submitted by the New York State Education Department (NYSED) and the United States Department of Education's Region II Commissioner (Commissioner) on October 24, 1994. See Joint Comments to the Secretary on the Applicable Law and Joint Recommendation to Remand Case for Dismissal. In the joint pleading, NYSED and the Commissioner principally request that the Secretary dismiss this matter, with prejudice, given a recent and relevant statutory enactment.

After considering the merits of the foregoing pleading, I hereby dismiss this matter, with prejudice.

So ordered this 14th day of November, 1994.


Richard W. Riley

Washington, D.C.

SERVICE LIST

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U.S. Department of Education
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SERVICE LIST

A copy of the attached initial decision was sent to:

The Honorable Richard W. Riley
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

A copy of the attached initial decision was also sent by
CERTIFIED MAIL RETURN RECEIPT REQUESTED to the following:

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A copy of the attached initial decision was also sent by regular
mail to the following:

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