

94-50-ST



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

In the Matter of

Docket Number 94-50-ST
Student Financial Assistance
Proceeding

DERECH AYSON RABBINICAL SEMINARY,

Respondent

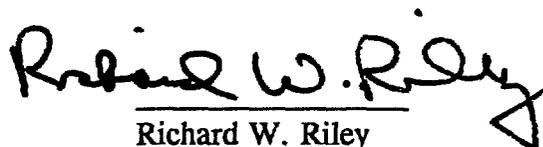
DECISION OF THE SECRETARY

This matter comes before the Secretary on various pleadings submitted by the respondent and the United States Department of Education, Office of Student Financial Assistance Programs (SFAP). See Joint Motion to Dismiss, dated October 5, 1994; Motion to Expedite Review of Motion to Vacate Hearing Official's Decision for Mootness and Motion to Stay Time to Respond to SFAP's Appeal, dated November 29, 1994; see also SFAP's Response to Motion to Vacate, dated December 13, 1994.

The parties agree that the October 4, 1994, initial decision of the administrative judge (AJ) should be vacated on the basis of mootness. In that decision, the AJ terminated the respondent's participation in student aid programs because he found that the respondent did not offer a program of training which prepared students for gainful employment in a recognized occupation. However, prior to the AJ's decision, the respondent's accreditation had expired, causing the Department to terminate the respondent's participation in student aid programs. The respondent did not dispute or appeal its termination based upon the expiration of its accreditation. Therefore, given the above, the parties now agree that the AJ's decision is moot.

After considering the merits of the foregoing pleadings, I hereby vacate the initial decision on grounds of mootness.

So ordered this 12th day of January 1995.


Richard W. Riley

Washington, D.C.

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