



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF HEARINGS AND APPEALS

In the Matter of

CHAFFEY COMMUNITY COLLEGE DISTRICT
Alta Loma, California,

Docket No. 95-91-CR
95-504-2

and

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Sacramento, California,

and

CALIFORNIA COMMUNITY COLLEGES
Sacramento, California

Respondents

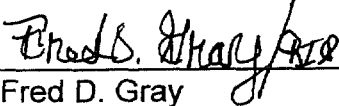
ORDER OF DISMISSAL

A Joint Motion to Dismiss Proceedings was filed in this matter on January 12, 1998. The parties state that the Assistant Secretary for Civil Rights has concluded that the Respondent Chaffey Community College District has taken sufficient steps to remedy any allegations of noncompliance with Section 504 of the Rehabilitation Act of 1973. Additionally, the parties request that the dismissal be granted on the condition that the proceeding may be reopened if there is a material breach of a settlement agreement between the Respondent and Gloria Dredd Haney, the person whose complaint to the Office of Civil Rights initiated this matter. There is no authority for such a conditional dismissal in 34 C.F.R. Parts 100, 101 or 104, the rules governing these proceedings. Therefore, this request for a conditional dismissal is denied. However, the determination that the Respondent is in compliance with Section 504 leaves no

matters in dispute and therefore this proceeding is hereby **DISMISSED**. If the Assistant Secretary for Civil Rights should determine that the Chaffey Community College District fails to remain in compliance, a new Notice of Opportunity for Hearing can be served on the Respondent and filed with the Civil Rights Hearing Clerk of the Department of Education.

MAR 19 1998

Dated



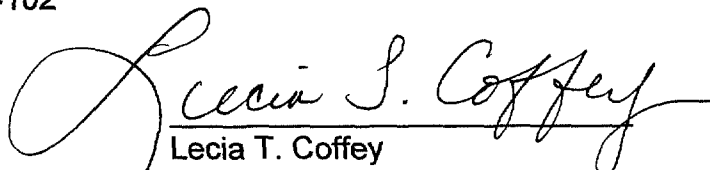
Fred D. Gray
Chairperson
Civil Rights Reviewing Authority

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Dismissal Order, Docket No. 95-91-CR, was mailed this 19th day of March 1998 to the parties below:

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Civil Rights Reivewing Authority