

**BEFORE THE HEARING PANEL  
EMPOWERED BY THE  
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

,	)	
	)	
<b>Petitioner</b>	)	
<b>v.</b>	)	
	)	
<b>ST. CHARLES R-VI SCHOOL DISTRICT,</b>	)	
	)	
<b>Respondent</b>	)	

**ORDER DISMISSING DUE PROCESS COMPLAINT**

On October 2, 2007, the Petitioner filed a due process complaint ("Complaint") with the Missouri Department of Elementary and Secondary Education ("DESE"). Thereafter, the Complaint was assigned to the undersigned Hearing Chairperson.

On November 20, 2007, the parties conducted a mediation session which resulted in an Agreement being reached between the Petitioner's Parent and the Respondent District. A provision of the Mediation Agreement states as follows:

"This agreement will cause the request for Due Process to be terminated. Parties will notify the hearing panel chair and the Department of Elementary and Secondary Education (DESE)."

A copy of the Mediation Agreement was provided to the undersigned Hearing Chairperson by Counsel for the District. Thereafter, on December 11, 2007, Counsel for the Respondent District filed a Motion to Dismiss the Complaint. The basis for that Motion is the agreement reached during Mediation which requires that the Complaint be dismissed.

On December 11, 2007, the undersigned Hearing Chairperson issued an Order Requiring Petitioner To Show Cause Why Due Process Complaint Should Not Be Dismissed. The Order required Petitioner's Parent to Show Cause by Wednesday, December 19, 2007 why the Complaint should not be dismissed consistent with the Mediation Agreement entered into

between the parties on November 20, 2007. The Petitioner's Parent did not respond to the Show Cause Order.

**IT IS THEREFORE ORDERED** that the due process Complaint filed by the Petitioner's Parent on October 2, 2007, with prejudice to refile.

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Ransom A Ellis, III  
Hearing Chairperson

**CERTIFICATE OF SERVICE**

This Order has been served by regular United States Mail, with courtesy copies sent by facsimile (where facsimile numbers were provided to the Hearing Chairperson) on the following persons on this 20th day of December, 2007:

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Ransom A Ellis, III