

Department of Education on February 7, 2017, I have determined that the document does not meet the requirements of Title 92, Nebraska Administrative Code, Chapter 55-004.06A and 004.06A2. I find as follows:

1. The letter does not contain a heading specifying the name of the Department of Education.
2. The letter does not specify whether a due process action is being brought in the names of the parents of the child or legal guardian(s) of the child.
3. The letter does not list the full names of the parents or legal guardian(s) of the child or their address.
4. The letter does not state the address where the child resides.
5. The letter does not state whether the child lives with the child's parents or legal guardian(s).
6. The letter makes allegations involving matters within the realm of the Nebraska Professional Practices Commission via Title 92, Nebraska Administrative Code, Chapter 27 and matters involving the Family Education Rights and Privacy Act, 20 U.S.C. § 1232g, all of which are outside the scope of special education due process hearing proceedings per Title 92, Nebraska Administrative Code, Chapter 55 and thus outside the authority and jurisdiction of this Hearing Officer.

Being fully advised in the premises, the Hearing Officer finds that this action should be dismissed without prejudice.

IT IS THEREFORE ORDERED that the Petitioners' Action is dismissed without prejudice for Failure of Petitioners' Action to Meet the Petition Requirements of Title 92, Nebraska Administrative Code, Chapter 55-004.06A and 004.06A2.

DATED this 17th day of February, 2017.



DENNIS C. TEGTMEIER, Hearing Officer #14162

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CERTIFICATE OF SERVICE

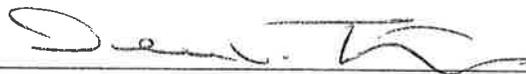
The undersigned hereby certifies that a true and correct copy of the foregoing was duly served upon:

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by email and U.S. Mail, postage prepaid, on the 17th day of February, 2017.



DENNIS C. TEGTMEIER, Hearing Officer