

#153-11

OAL DKT. NO. EDU 3247-10  
AGENCY DKT. NO. 35-3/10

BOARD OF EDUCATION OF THE :  
TOWNSHIP OF HANOVER, :  
MORRIS COUNTY, :

PETITIONER, :

COMMISSIONER OF EDUCATION

V. :

DECISION

BOARD OF EDUCATION OF THE :  
CITY OF ORANGE, ESSEX COUNTY, :

RESPONDENT. :

\_\_\_\_\_ :

Having reviewed the record, Initial Decision of the Office of Administrative Law (OAL) and proposed “Stipulation of Settlement” (Settlement), the Commissioner is constrained to reject the Initial Decision. The Settlement recites, in Paragraph 5, that it is “subject to final approval by each party by way of a public adopted resolution at a duly convened meeting, certified copies of which shall be appended hereto as Attachments . . . .” While a resolution by the Orange Board of Education approving the settlement was presented to the Commissioner, the required resolution by the Hanover Board of Education was not. Nor, in the alternative, did counsel for the Hanover Board execute the settlement document.

Accordingly, the Initial Decision is rejected and the matter is remanded to the OAL for those proceedings necessary to perfect the settlement or adjudicate the controversy.

IT IS SO ORDERED.<sup>1</sup>

ACTING COMMISSIONER OF EDUCATION

Date of Decision: April 13, 2011  
Date of Mailing: April 13, 2011

<sup>1</sup> This decision may be appealed to the Superior Court, Appellate Division, pursuant to *P.L. 2008, c. 36* (*N.J.S.A. 18A:6-9.1*).