

SB # 3-03

IN THE MATTER OF THE GRANT OF :  
THE CHARTER SCHOOL APPLICATION : STATE BOARD OF EDUCATION  
OF THE JERSEY SHORE CHARTER : DECISION ON MOTION  
SCHOOL, MONMOUTH COUNTY. :

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Decided by the Commissioner of Education, January 15, 2003

Decision on motion by the State Board of Education, May 7, 2003

For the Appellants, Wilentz, Goldman & Spitzer (Viola S. Lordi, Esq., of  
Counsel)

For the Respondent, Karen Bradley, pro se

For the Participant Commissioner of Education, Kathleen Asher, Deputy  
Attorney General (Peter C. Harvey, Acting Attorney General of New  
Jersey)

By letter dated January 15, 2003, the Commissioner of Education granted contingent approval to the application submitted by the Jersey Shore Charter School to operate a charter school pursuant to the Charter School Program Act of 1995, N.J.S.A. 18A:36A-1 et seq. On February 14, 2003, the Boards of Education of West Long Branch, Eatontown and Oceanport (“appellants”) filed an appeal to the State Board of Education challenging the Commissioner’s decision.

On April 14, 2003, the appellants filed a motion to supplement the record on appeal pursuant to N.J.A.C. 6A:4-1.9(b). The appellants seek to supplement the record with the affidavits of eight individuals regarding comments made by one of the proposed

school's founders at a meeting held in February 2003 with respect to the school's ability to accommodate special needs students. The appellants also seek to supplement the record with an affidavit of the West Long Branch superintendent averring to her receipt of letters from the above individuals concerning the comments made at that meeting. Both the Commissioner and Karen Bradley, the lead person for the proposed school, filed briefs in opposition to the appellants' motion.

After reviewing the proposed exhibits and the papers filed, we grant the appellants' motion, finding the proposed exhibits to be material to the issues on appeal.

N.J.A.C. 6A:4-1.9(b).

June 4, 2003

Date of mailing \_\_\_\_\_