

E.R., on behalf of minor child, A.R.,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE	:	DECISION
LOWER CAMDEN COUNTY REGIONAL	:	
HIGH SCHOOL DISTRICT NO. 1,	:	
CAMDEN COUNTY,	:	
	:	
RESPONDENT.	:	
	:	

SYNOPSIS

Petitioning parent sought reinstatement of A.R., seventh grade student who was suspended for violating the Board’s drug and alcohol policy by bringing two unopened cans of beer to school.

ALJ found that the Board suspended A.R. for a pre-determined period without considering the circumstances of his actions, in contravention of its own policy and student handbook which expressly provide for such consideration. ALJ ordered A.R., who has already served about seven months of his suspension, be readmitted to school immediately. ALJ noted that the Board might, in its discretion, rehear the matter to measure an appropriate penalty, should it determine that the suspension to date was insufficient under the circumstances.

Assistant Commissioner, to whom matter had been delegated pursuant to N.J.S.A. 18A:4-34, adopted findings and determination in initial decision as his own.

OAL DKT. NO. EDU 6661-98
AGENCY DKT. NO. 215-6/98

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The record of this matter and the initial decision of the Office of Administrative Law have been reviewed. No exceptions were filed by the parties.

Pursuant to N.J.S.A. 18A:4-34, the Commissioner has delegated the authority to hear and decide this matter to the Assistant Commissioner.

Upon careful and independent review of the record, the Assistant Commissioner concurs with the findings and conclusions of the Administrative Law Judge. Accordingly, the initial decision is adopted for the reasons expressed therein.*

IT IS SO ORDERED.

ASSISTANT COMMISSIONER

NOVEMBER 30, 1998

* This decision, as the Commissioner's final determination in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6:2-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.