

#389-04

OAL DKT. NO. EDU. 51-04

(OAL Decision: http://lawlibrary.rutgers.edu/oal/html/initial/edu00051-04_1.html)

AGENCY DKT. NO. 334-9/03

K.D., :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 BOARD OF EDUCATION OF GLOUCESTER : DECISION
 COUNTY VOCATIONAL DISTRICT, :
 GLOUCESTER COUNTY, :
 :
 RESPONDENT. :
 :
 _____ :

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties filed no exceptions to the Initial Decision.

Upon his full and independent review, the Commissioner concurs with the Administrative Law Judge, for the reasons clearly detailed in his decision, that the Board's determination that K.D. failed his Electrical Construction 1 class, rendering him ineligible for the second year of his vocational educational program, was not arbitrary, capricious or unreasonable and, therefore, there is no relief which can be accorded him in this matter.

Accordingly, the Initial Decision of the OAL is adopted and the instant Petition of Appeal is hereby dismissed.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: September 30, 2004

Date of Mailing: September 30, 2004

* This decision 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. 6A:4-1.1 et seq.*