

#305-09

AGENCY DKT. NO. 161-7/09

ERIK SCOTT, :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 NEW JERSEY STATE BOARD : DECISION
 OF EXAMINERS, :
 :
 RESPONDENT. :
 _____ :

This matter was opened as a Petition of Appeal before the Commissioner on July 21, 2009. Therein petitioner was appealing the State Board of Examiners' (SBE) denial of his application for teacher certification in Health and Physical Education. By letter dated August 17, 2009, the Deputy Attorney General representing the SBE reported that the SBE "has recently discovered that its decision with respect to the above-referenced matter was based, in part, on incorrect information. Therefore, on behalf of the [SBE], I hereby request that the Commissioner remand the matter to the [SBE] for reconsideration based upon the correct information." By letter dated August 17, 2009, the Director of the Bureau of Controversies and Disputes advised the parties that – absent an objection by petitioner on or before August 26, 2009 – this matter would be remanded to the SBE. No objection was received from petitioner.

Accordingly, as requested, this matter is hereby remanded to the State Board of Examiners for reconsideration.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: September 16, 2009

Date of Mailing: September 18, 2009

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