

#466-10 (No OAL Decision)

OAL DKT. NO. EDU 8015-10

AGENCY DKT. NO. 96-5/10

D.R. on behalf of minor child, D.T., :

PETITIONER, :

COMMISSIONER OF EDUCATION

V. :

DECISION

BOARD OF EDUCATION OF THE :

TOWNSHIP OF JACKSON, :

OCEAN COUNTY, :

RESPONDENT. :

Review of the record of this matter, the Initial Decision and the proposed “Settlement Agreement and Release” (Agreement) failed to reveal a copy of a Board resolution approving the Agreement and authorizing Sharon Dey, Board President, to sign the Agreement on its behalf. Nor is the Agreement signed by the Board’s attorney, who is the Board’s duly authorized representative in litigation.

Consequently, the Commissioner cannot approve the within settlement and hereby remands this matter to the OAL for revision of the Agreement to either be executed by the Board attorney or to include as an exhibit the Board resolution approving the Agreement and authorizing Sharon Dey to execute it. If the parties are unwilling or unable to reach accord on a modified agreement for submission to the Commissioner, the matter shall proceed to hearing.

IT IS SO ORDERED.

ACTING COMMISSIONER OF EDUCATION

Date of Decision: November 8, 2010

Date of Mailing: November 9, 2010