

#470-14

TIA CASTILLO, :  
PETITIONER, :  
V. : COMMISSIONER OF EDUCATION  
NEW JERSEY DEPARTMENT OF : DECISION  
EDUCATION, CRIMINAL HISTORY :  
REVIEW UNIT, :  
RESPONDENT. :

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SYNOPSIS

Petitioner filed a *pro se* appeal of the suspension of her school bus endorsement by respondent, New Jersey Department of Education, Criminal History Review Unit, for leaving a child on the bus at the end of her route. The matter was scheduled for a hearing at the Office of Administrative Law (OAL) on October 7, 2014. Petitioner failed to appear at the hearing, despite having received appropriate notice, and filed no explanation for her non-appearance, notwithstanding the opportunity to do so.

The Commissioner deemed the matter to no longer be a contested case, and accordingly dismissed the petition with prejudice. Respondent was directed to notify the Motor Vehicle Commission of its obligation pursuant to *N.J.S.A. 18A:39-28 et seq.* to suspend petitioner's school bus endorsement and to notify petitioner's employer that she is ineligible for the period of suspension for continued employment as a school bus driver.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

December 1, 2014

OAL DKT. NO. EDU 15663-13  
AGENCY DKT. NO. 236-9/13

TIA CASTILLO, :  
PETITIONER, :  
V. : COMMISSIONER OF EDUCATION  
NEW JERSEY DEPARTMENT OF : DECISION  
EDUCATION, CRIMINAL HISTORY :  
REVIEW UNIT, :  
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The record of this matter – which includes the advisement of the failure to appear transmitted by the Office of Administrative Law (OAL) pursuant to *N.J.A.C.* 1:1-14.4, and the notification sent to the parties by the OAL on October 14, 2014, providing an opportunity to submit an explanation for such nonappearance – has been reviewed.<sup>1</sup> There was no explanation filed by petitioner, notwithstanding the opportunity to do so.

Accordingly, this matter is no longer deemed to be a contested case before the Commissioner, and is hereby dismissed with prejudice.<sup>2</sup> Respondent is directed to notify the Motor Vehicle Commission of its obligation pursuant to *N.J.S.A.* 18A:39-28 *et seq.* to suspend petitioner’s school bus endorsement for six months and to notify petitioner’s employer that she is ineligible for the period of suspension for continued employment as a school bus driver.

IT IS SO ORDERED.

ACTING COMMISSIONER OF EDUCATION

Date of Decision: December 1, 2014  
Date of Mailing: December 1, 2014

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<sup>1</sup> The October 14, 2014 notice from the OAL was sent to the petitioner at an address in Georgia. It was not clear from the file as to why the Georgia address was used. Therefore, on November 13, 2014, the Office of Controversies and Disputes sent a letter to all of the petitioner’s addresses that were listed in the file, providing her another opportunity to submit an explanation for her failure to appear.

<sup>2</sup> 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).