

New Jersey Commissioner of Education
Final Decision

Mindy Prosperi,

Petitioner,

v.

New Jersey State Board of Examiners,

Respondent.

Synopsis

Pro-se petitioner appealed the determination of the respondent – the State Board of Examiners (SBE) – that she had not met the requirements for issuance of a Teacher of Computer Science Technology Certificate (CTE). The SBE filed a motion to dismiss in lieu of a response.

The ALJ found that: prior to the hearing date, a status conference was scheduled; during the conference, petitioner advised that after her review of new Department guidelines for issuance of the CTE, she was withdrawing her appeal. Accordingly, the ALJ concluded that this matter is no longer a contested case and ordered the case dismissed.

The Commissioner concurred with the determination of the ALJ herein; accordingly, the Initial Decision of the OAL was adopted as the final decision in this matter. The petition was dismissed.

<p>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.</p>

February 25, 2020

New Jersey Commissioner of Education

Final Decision

Mindy Prospero,

Petitioner,

v.

New Jersey Department of Education,
State Board of Examiners,

Respondent.

The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. The parties did not file exceptions to the Initial Decision.

Upon such review, the Commissioner concurs with the Administrative Law Judge's determination – for the reasons stated in the Initial Decision – that the petitioner has voluntarily agreed to dismiss the petition of appeal. Accordingly, the Initial Decision is adopted as the final decision in this matter and the petition of appeal is dismissed.

IT IS SO ORDERED.¹

COMMISSIONER OF EDUCATION

Date of Decision: February 25, 2020
Date of Mailing: February 26, 2020

¹ 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).



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

DISMISSAL

OAL DKT. NO. EDU 12060-19

AGENCY DKT. NO. 151-6/19

MINDY PROSPERI.,

Petitioner,

v.

**NEW JERSEY DEPARTMENT OF
EDUCATION STATE BOARD OF
EXAMINERS,**

Respondent.

Mindy Prosperi, petitioner, pro se

Michal Czarnecki, Deputy Attorney General for respondent (Gurbir S. Grewal,
Attorney General of New Jersey, attorney)

Record Closed: January 28, 2020

Decided: January 28, 2020

BEFORE **JOANN LASALA CANDIDO**, ALAJ:

STATEMENT OF THE CASE

Petitioner, Mindy Propseri, challenges respondent's denial of her application for issuance of a Teacher of Computer Science Technology Certificate. In lieu of an

answer respondent filed a Motion to Dismiss on August 16, 2019. Shortly thereafter the matter was transmitted to the Office of Administrative Law (OAL) for determination as a contested case pursuant to N.J.S.A. 52:14F-1 to -13. On September 6, 2019, the undersigned sent correspondence to petitioner requesting that she submit a response to respondent's motion by September 16, 2019. A telephone prehearing was conducted on September 17, 2019, wherein the parties agreed on a hearing date of November 15, 2019.

Prior to the hearing date, respondent's counsel requesting an adjournment to allow petitioner to review the new guidelines regarding the Computer Science Technology Certificate. The November hearing date was cancelled and a status conference was December 12, 2019. During the pendency of the conference, petitioner advised that she would be withdrawing her appeal. A letter was submitted from petitioner stating:

"I am writing to request that we cancel the hearing about the above-referenced matter. I am pleased that the Department of Education released new guidelines regarding the CTE certificate I was previously denied."

Said correspondence is attached hereto for reference.

Based on the foregoing, I **CONCLUDE** that this matter is no longer a contested case before the Office of Administrative Law. It is therefore **ORDERED** that this matter be and is hereby **DISMISSED**.

I hereby **FILE** this initial decision with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION** for consideration.

This recommended decision may be adopted, modified or rejected by the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**, who by law is authorized to make a final decision in this matter. If the Commissioner of the Department of

Education does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION, ATTN: BUREAU OF CONTROVERSIES AND DISPUTES, 100 Riverview Plaza, 4th Floor, PO Box 500, Trenton, New Jersey 08625-0500**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

January 28, 2020



DATE

JOANN LASALA CANDIDO, ALAJ

Date Received at Agency:

January 28, 2020

Date Mailed to Parties:

ljb
