

285-23

OAL Dkt. No. 00239-23

Agency Dkt. No. 358-12/22

**New Jersey Commissioner of Education**

**Final Decision**

Y.L., on behalf of minor child, J.W.,

Petitioner,

v.

Board of Education of the Town of Secaucus,  
Hudson County,

Respondent.

The record of this matter, the Initial Decision of the Office of Administrative Law (OAL), and the Stipulation of Dismissal signed by the parties have been reviewed and considered.

Upon review, the Commissioner concurs with the Administrative Law Judge that this matter is no longer a contested case, and that dismissal is appropriate.

Accordingly, the petition of appeal is hereby dismissed.

IT IS SO ORDERED.<sup>1</sup>

  
ACTING COMMISSIONER OF EDUCATION

Date of Decision: September 19, 2023

Date of Mailing: September 20, 2023

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<sup>1</sup> This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

**DISMISSAL**

OAL DKT. NO. EDU 00239-23

AGENCY DKT. NO. 358-12/22

**Y.L. ON BEHALF OF MINOR CHILD J.W.,**

Petitioner,

v.

**BOARD OF EDUCATION OF THE TOWN OF  
SECAUCUS, HUDSON COUNTY,**

Respondent.

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**Thomas J. Koehl**, Esq. for petitioner

**Stephen R. Fogarty**, Esq. for respondent (Fogarty & Hara, attorneys)

Record Closed: August 29, 2023

Decided: August 30, 2023

BEFORE **NANCI G. STOKES**, ALJ:

**STATEMENT OF THE CASE**

Petitioner, Y.L., filed a residency appeal on behalf of her child, J.W. Shortly thereafter the Town of Secaucus Board of Education (Respondent) filed an Answer with the State Department of Education. The matter was transmitted to the Office of

Administrative Law (OAL) on January 9, 2023, for determination as a contested case pursuant to N.J.S.A. 52:14F-1 to -13. A telephone prehearing was conducted on February 27, 2023. Several conferences were scheduled thereafter, the last one being August 29, 2023. On August 29, 2023, Petitioner's counsel submitted a Stipulation of Dismissal, which 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.

August 30, 2023

\_\_\_\_\_  
DATE

Date Received at Agency:

Date Mailed to Parties:

ljb



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**NANCI G. STOKES, ALJ**

August 30, 2023

August 30, 2023