

New Jersey Commissioner of Education

Final Decision

Stephanie Florio,

Petitioner,

v.

New Jersey State Board of Examiners,

Respondent.

Synopsis

In this matter on remand, *pro-se* petitioner appealed the determination of the respondent New Jersey State Board of Examiners (SBE) that she had not met the requirements for issuance of a Reading Specialist Certificate because she failed to complete the required three credit hours in a supervised practicum in reading. Petitioner argued that her alternative education and experience satisfied a one-to-one correspondence to the missing credits, in accordance with *N.J.A.C. 6A:9B-4.13(b)*. The SBE did not accept petitioner's alternative education and experience, finding that petitioner did not establish a compelling one-to-one correspondence with the Reading Specialist certification requirements. The Commissioner rejected an Initial Decision issued by the Office of Administrative Law in November 2022 and remanded the matter to the OAL for reconsideration under the correct standard of review, which is whether the SBE's decision was consistent with the applicable statutory and regulatory provisions of *N.J.A.C. 6A:3*.

On remand, the ALJ found, *inter alia*, that: *N.J.A.C. 6A:9B-14.13*, which sets forth criteria for a reading specialist certification, does not define "Supervised practicum in reading"; the burden of proof is upon the petitioner to establish that the SBE's decision did not comport with the applicable statutory and regulatory provisions; petitioner submitted her work in a course entitled "Assessment and Remediation of Severe Reading Disabilities" (SPED 609) as the course meeting the supervised reading practicum requirement for a reading specialist certification; SPED 609 is a three credit course which in fact does contain a supervised reading practicum; while the SBE acknowledged that the course petitioner submitted to fulfill the practicum requirement did have a practicum component, the course was rejected because "the focus in the school setting was limited to one type of reading problem and a specific methodology, rather than covering a broad array of methods, strategies and techniques in the correction of reading problems"; however, the SBE did not, prior to issuing its decision, specify by rule amendment, or other writing, what the supervised reading practicum requirement actually was. The ALJ concluded that the SBE's decision in this matter was not consistent with the applicable statutory and regulatory provisions, as the SBE expanded "supervised reading practicum" from what is stated in the governing rule. Accordingly, the SBE's denial of petitioner's Reading Specialist Certificate was reversed.

Upon review, the Commissioner found, *inter alia*, that: while the SBE contended that the practicum must involve a broad array of topics related to reading disabilities, the applicable regulation contains no such requirement, and a regulation must be construed according to its plain reading. Accordingly, the Commissioner adopted the Initial Decision as the final decision in this matter.

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.

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OAL Dkt. No. EDU 00609-23
(EDU 06851-22 on remand)
Agency Dkt. No. 172-7/22

New Jersey Commissioner of Education
Final Decision

Stephanie Florio,

Petitioner,

v.

New Jersey Department of Education,
State Board of Examiners,

Respondent.

The record of this matter, the Initial Decision of the Office of Administrative Law (OAL), the exceptions filed by the New Jersey State Board of Examiners (Board) pursuant to *N.J.A.C. 1:1-18.4*, and petitioner's reply thereto, have been reviewed and considered.

In this matter, petitioner challenges the Board's denial of her application for a Reading Specialist Certificate. The Board denied petitioner's application because she did not satisfy three credit hours in a supervised practicum in reading. Petitioner argued that her alternative education and experience satisfied a one-to-one correspondence to the missing credits, in accordance with *N.J.A.C. 6A:9B-4.12(b)*. Following a hearing, the Administrative Law Judge (ALJ) concluded that petitioner had met her burden of proof to demonstrate that her completion of a course entitled "Assessment and Remediation of Severe Reading Disabilities" (SPED 609) met the requirement of a supervised reading practicum and that the Board's

decision denying her application was not consistent with the applicable statutory and regulatory provisions.

In its exceptions, the Board argues that petitioner did not provide sufficient evidence to demonstrate that her alternate education or experience demonstrated a one-to-one correspondence to the missing coursework as required by *N.J.A.C. 6A:9B-4.12*. According to the Board, if the ALJ believed there was a question regarding the interpretation of what “supervised reading practicum” means, the ALJ should have engaged in an analysis of the principles of statutory construction. The Board contends that merely proffering a course that had a practicum component does not automatically mean that petitioner has met the requirements for the Reading Specialist Certificate. The Board argues that the SPED 609 course was limited to only one specific type of reading difficulty and one specific methodology, rather than a course focused on a broad array of methods, strategies, and techniques in the correction of reading problems. Accordingly, the Board urges the Commissioner to reject the Initial Decision and dismiss the petition of appeal.

In reply, petitioner argues that the ALJ correctly found that the SPED 609 course included a supervised practicum in reading and that she has therefore met the requirements for a Reading Specialist Certificate.

Upon review, the Commissioner concurs with the ALJ that petitioner has demonstrated that her completion of the SPED 609 course meets the requirement of *N.J.A.C. 6A:9B-14.13(b)(2)(iv)* for a supervised practicum in reading. The course syllabus for SPED 609 specifically states:

Students will be required to develop an intervention plan based upon the results of their assessment and to deliver that remediation in the practicum placement.

The focus of the remediation portion of the course will be structured sequential multi-sensory reading program interventions, Orton Gillingham based, to address phonemic awareness development, decoding skills, word recognition.

Clearly, the SPED 609 course includes a reading practicum. While the Board contends that the practicum must involve a broad array of topics related to reading disabilities, the applicable regulation contains no such requirement, and a regulation must be construed according to its plain reading.

Accordingly, the Initial Decision is adopted as the final decision in this matter. The Board's denial of petitioner's application for a Reading Specialist Certificate is reversed.

IT IS SO ORDERED.¹


ACTING COMMISSIONER OF EDUCATION

Date of Decision: January 23, 2024

Date of Mailing: January 25, 2024

¹ 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

OAL DKT. NO. EDU 00609-23

AGY. DKT. NO. 172-7/22

STEPHANIE FLORIO,

Petitioner,

vs.

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

Respondent.

ON REMAND

OAL DKT. NO.: EDU 06851-22

Perry Florio, Esq., for Petitioner (Waters, McPherson, McNeill, attorneys)

Colin Klika, Deputy Attorney General, for respondent (Matthew J. Platkin,
Attorney General of New Jersey, attorneys)

Record Closed: September 18, 2023

Decided: November 15, 2023

BEFORE **THOMAS R. BETANCOURT**, ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner, Stephanie Florio, applied for a Reading Specialist Certification. The State Board of Examiners (Board) determined that Petitioner satisfied all requirements, except for a one-to-one correspondence between alternative education and experience presented and the practicum requirement.

Petitioner appealed that decision to the Office of Controversies and Disputes. The matter was transferred to the Office of Administrative Law (OAL) as a contested case, where it was filed on August 8, 2022, under Docket No. EDU 06851-22. In this matter Respondent filed a motion to dismiss, which was granted by the undersigned by Order dated November 15, 2022.

The Acting Commissioner of Education remanded the matter to the undersigned as noted in her Final Decision dated December 14, 2022. In said Final Decision the Acting Commissioner noted that the undersigned applied the incorrect standard of review for an appeal filed under N.J.A.C. 6A:-3. The correct standard of review is whether a decision is consistent with the applicable statutory and regulatory provisions.

The remanded matter was filed with the OAL on January 18, 2023, under Docket No. EDU 00609-23.

A prehearing conference on the remanded matter was held on January 31, 2023, and a prehearing Order was entered on the same date.

Respondent had filed a motion to dismiss in lieu of an answer in the prior matter. Accordingly, Respondent filed its Answer on February 1, 2023.

A hearing on the remanded matter was held on July 5, 2023. The parties were afforded the opportunity to submit post hearing briefs. Each party filed their respective post hearing briefs on September 18, 2023, whereupon the record closed.

ISSUE

Whether Board's denial is supported by the evidence and is consistent with the applicable statutory and regulatory provisions. The board, in its decision of April 7, 2022, determined that Petitioner failed to meet the practicum requirement for a reading specialist certificate.

SUMMARY OF RELEVANT TESTIMONY

Stephanie Florio, Petitioner, testified as follows:

DIRECT EXAMINATION

She is a teacher employed by the Randolph Board of Education. She teaches reading and writing.

She is a graduate of The College of New Jersey (TCNJ) and holds a Bachelor's degree in Education, a Bachelor's degree in Psychology and a Master's degree in Psychology.

In 2017 she decided to apply for a reading specialist certificate.

Ms. Florio then reviewed the State Board of Examiners' decision on her application for a reading specialist certificate. (J-2) She noted the requirements for such a certificate. At the time of making her application she believed that her education met the criteria. The application was denied and she appealed to the Board of Examiners. The application was denied as the practicum she participated in did not meet requirements. The decision, J-2, did not list specifics as to the reading practicum.

She participated in a course at TCNJ which had supervised practicum in reading. She had inquired of the Board as to the criteria for the reading practicum. She never received a response.

Referring back to J-2 she reviewed a letter from TCNJ outlining course descriptions and was presented to the Board.

Ms. Florio then described a practicum as a practical application under the supervision of a professor based on the skill taught in the classroom. The class she took had a reading practicum.

CROSS EXAMINATION

The classes she taught were in her capacity as either an English Language Arts teacher or a special education teacher.

The first class she taught was strictly teaching reading and writing.

RE-DIRECT EXAMINATION

English Language Arts is synonymous to reading and writing. The terms are interchangeable.

BY THE ALJ

The partial denial by the Board was for the reading practicum. The practicum did not meet the requirements of the Department.

Rani Singh testified as follows:

DIRECT EXAMINATION

She is employed as the Director of the Office of Recruitment, Prep and Certification at the New Jersey Department of Education (DOE). She has been employed at DOE for twenty-one years. Prior to that she was a teacher. She taught biology and elementary. She never taught reading. She does not hold a reading specialist certification. She does not hold a degree in education. She was an alternate route teacher.

Ms. Singh then reviewed J-1: Respondent's Responses to Petitioner's First Set of Interrogatories and Request for Production of Documents. She signed on behalf of DOE. She provided the responses. She provided no response to the question asking to name all persons who have knowledge of facts relating to the within matter.

She also provided no response to the question asking to set forth all facts relied upon in denying Ms. Florio's application. The answer just refers to the Board's written decision.

The response to question 22 refers to N.J.A.C. 6A:9B-14.13 in response to a question for the criteria for supervised practicum in reading relating to a reading specialist endorsement. The response to Question 23, asking for detail in the content of supervised practicum in reading relating to reading specialist endorsement, was "see interrogatory 22".

No details were provided.

Ms. Singh was asked to review J-2, which were the documents she produced in response to Petitioner's request for production of documents. She reviewed N.J.A.C. 6A:9B-14.13 and stated that is the sole criteria for a reading specialist certification.

She was present at the telephone conference where the Board heard Ms. Florio's appeal. She is the Board secretary.

She confirmed that 6A:9B-14.13 merely states "supervised practicum in reading".

Nothing was provided that provides any detail or insight into what a reading practicum must contain.

Ms. Singh then read into the record the description of SPED 609 found in J-2, page NJDOE 0011. She then reviewed page DOE 0097 of J-2, and confirmed that the course is for the assessment and remediation of reading disabilities for students who have special needs. This was submitted to the Board by Ms. Florio.

THERE WAS NO CROSS EXAMINATION BY COUNSEL FOR RESPONDENT.

MS. SINGH WAS CALLED AS RESPONDENT'S WITNESS

DIRECT EXAMINATION OF MS. SINGH AS RESPONDENT'S WITNESS

Ms. Singh described the duties of her office. She described the steps for requesting certificate or an endorsement. After an application is received an examiner reviews it. The examiner reviews all supporting documentation provided.

If an applicant had not completed an approved program the examiner does a course by course review to make sure it meets the criteria that's listed in Code. This is what occurred with Ms. Florio's application.

Ms. Singh then described what occurs after a denial and the appeal process to the Board.

She then described the role of someone with a reading specialist certification.

She then reviewed what Ms. Florio submitted as alternative education experience in support of her application.

Ms. Singh then reviewed the various courses submitted and opined that they did not contain a supervised practicum. When asked this question as to SPED 609 she stated "There's no practicum component here." When directed by the undersigned, Ms. Singh read the following part of the course description:

"Students will be required to develop an intervention plan based upon the results of their assessment and to deliver that remediation in the practicum placement. The focus of the remediation portion of the course will be structured sequential multi-sensory reading program interventions, Orton Gillingham based, to address phonemic awareness development, decoding skills, word recognition."

When asked by the undersigned if this means there is a practicum element to the course, Ms. Singh replied she was not sure.

Ms. Singh then described the types of reading difficulties and methodologies a reading specialist needs to be familiar with.

CROSS EXAMINATION

Ms. Singh again reviewed N.J.A.C. 6A:9B-14.13 and noted it does not say a reading practicum must cover all grade levels. She could not answer how a three hour course could cover all grade levels.

CREDIBILITY

When witnesses present conflicting testimonies, it is the duty of the trier of fact to weigh each witness's credibility and make a factual finding. In other words, credibility is the value a fact finder assigns to the testimony of a witness, and it incorporates the overall assessment of the witness's story in light of its rationality, consistency, and how it comports with other evidence. Carbo v. United States, 314 F.2d 718 (9th Cir. 1963); see Polk, supra, 90 N.J. 550. Credibility findings "are often influenced by matters such as observations of the character and demeanor of witnesses and common human experience that are not transmitted by the record." State v. Locurto, 157 N.J. 463 (1999). A fact finder is expected to base decisions of credibility on his or her common sense, intuition, or experience. Barnes v. United States, 412 U.S. 837, 93 S. Ct. 2357, 37 L. Ed. 2d 380 (1973).

The finder of fact is not bound to believe the testimony of any witness, and credibility does not automatically rest astride the party with more witnesses. In re Perrone, 5 N.J. 514 (1950). Testimony may be disbelieved, but may not be disregarded at an administrative proceeding. Middletown Twp. v. Murdoch, 73 N.J. Super. 511 (App. Div. 1962). Credible testimony must not only proceed from the mouth of credible witnesses but must be credible in itself. Spagnuolo v. Bonnet, 16 N.J. 546 (1954).

When facts are contested, the trier of fact must assess and weigh the credibility of the witnesses for purposes of making factual findings. Credibility is the value that a

finder of fact gives to a witness's testimony. It requires an overall assessment of the witness's story in light of its rationality, its internal consistency, and the manner in which it "hangs together" with the other evidence. Carbo v. United States, 314 F.2d 718, 749 (8th Cir. 1963).

I had difficulty with Ms. Singh's testimony. I was particularly concerned with her response to the question about SPED 609 where she stated, "There's no practicum component here." Clearly the course description identifies a practicum component. She either answered the question not knowing what the course description stated, or misrepresented what the course description stated. Either way, the response renders her testimony in this regard not credible. Ms. Singh was proffered by the Board to support their denial of Ms. Florio's application. It is important to note that the denial was based solely on the Board's position that she lacked three credit hours in reading practicum.

JOINT STIPULATION OF FACTS

1. Appellant applied to the NJDOE for a reading specialist certificate in 2017.
2. On August 6, 2021 the NJDOE determined that Appellant had met the requirements of a Master's Degree and had completed 2 years of teaching experience, but advised that Appellant would need to complete an additional 12 graduate semester-hour credits to include "Reading Foundations," "Diagnosis of Reading Problems", "Correction of Reading Problems" and a "Supervised Practicum in Reading".
3. After further submissions to and review by the NJDOE, on September 28, 2021, the NJDOE re-evaluated Appellant's application and advised that Appellant would need to complete an additional 6 graduate semester-hour credits to include "Reading Foundations" and a "Supervised Practicum in Reading".
4. Thereafter, Appellant appealed the decision of the NJDOE examiner to the State Board of Examiners and requested that the Board consider alternative

education and experience to substitute as equivalent to her semester-hour credits deficiency.

5. After review and consideration of this information, the Board determined that the alternative education and experience Appellant provided was sufficient to satisfy the foundations requirement. However, the Board determined that Appellant failed to meet the practicum requirement and Appellant's application was denied on April 7, 2022.

6. On July 1, 2022, Appellant filed a petition of appeal of the Board's decision with the Bureau of Controversies and Disputes.

7. The matter was transmitted to the Office of Administrative Law and following a motion to dismiss filed on behalf of Respondent, the court dismissed the Appellant's petition.

8. On December 14, 2022, the Acting Commissioner of the State of New Jersey determined that the Administrative Law Judge applied a standard of whether or not the Board's denial was "arbitrary, capricious , or unreasonable" in denying the petition when the appropriate standard was whether "the Boards' decision is consistent with the applicable statutory and regulatory provisions" and remanded the matter to the Office of Administrative Law for further proceedings.

FINDINGS OF FACT

I **FIND** the following **FACTS**, in addition to the Stipulated Facts:

1. N.J.A.C. 6A:9B-14.13, which sets forth criteria for a reading specialist certification does not define "Supervised practicum in reading".

2. Petitioner submitted her course work in SPED 609 as the course meeting the "supervised reading practicum requirement" for a reading specialist certification. (J-2, Bates NJDOE 0011 and NJDOE 0097-00100)

3. SPED 609 is a three credit course. (J-2, Bates NJDOE 0011)

4. The Board, in its decision of April 7, 2022, stated: "However, the Board finds she did not provide compelling evidence of a one-to-one correspondence between the remaining requirement of a supervised reading practicum and the alternative experience and education she presented." The Board went on to explain what this practicum should entail. (J-7, Bates NJDOE 0114)

5. The Board noted that the course Petitioner submitted for the practicum requirement, Assessment and Remediation of Severe Reading Disabilities, did have a practicum component "but the focus in the school setting was limited to one type of reading problem and a specific methodology, rather than covering a broad array of methods, strategies and techniques in the correction of reading problems." (J-7, Bates NJDOE 0114)

6. The Board did not, prior to issuing its decision, specify by rule amendment, or other writing, what the supervised reading practicum requirement was.

7. SPED 609 contains a supervised reading practicum. (J-2, Bates NJDOE 0097)

LEGAL DISCUSSION AND CONCLUSIONS OF LAW

All teaching staff members in the state's public schools must hold a valid certificate before serving in any role in which they "teach, administer, direct or supervise the teaching, instruction, or educational guidance" of students. N.J.S.A. 18A:26-2. Under N.J.S.A. 18A:6-38 and N.J.S.A. 18A:26-2.7, the Board promulgated regulations for the required certification of persons employed in a public school district. Under those regulations, the Board issues three categories of educational certificates: instructional, administrative, and educational services. N.J.A.C. 6A:9-5.2(a). Endorsements for an educational services certificate include staff members such as a school psychologist or a school social worker. See N.J.A.C. 6A:9B-14.5, -14.9. These endorsements "coincide with the educational subjects or positions that share common

attributes and thus are grouped under a particular certificate.” Dennery v. Bd. of Educ., 131 N.J. 626, 633 (1993). Accordingly, a person can work in the particular field based upon the endorsement(s) enumerated on the certificate.

N.J.A.C. 6A:9B-14.13 states:

(a) The reading specialist endorsement authorizes the holder to serve as a reading specialist in preschool through grade 12. A reading specialist conducts in-service training of teachers and administrators; coordinates instruction for students or groups of students having difficulty learning to read; diagnoses the nature and cause of a student's difficulty in learning to read; plans developmental programs in reading for all students; recommends methods and materials to be used in the school district reading program; and contributes to the evaluation of the reading achievement of students.

(b) A candidate for this endorsement shall have completed a master's degree from a regionally accredited college or university, two years of successful teaching experience, and one of the following:

1. A Department-approved graduate-degree program in reading; or
2. A program of graduate studies of 30 semester-hour credits consisting of the following:
 - i. Reading foundations;
 - ii. Diagnosis of reading problems;
 - iii. Correction of reading problems;
 - iv. Supervised practicum in reading; and
 - v. Study in at least three of the following areas: children's or adolescent literature; measurement; organization of reading programs; psychology; staff supervision; linguistics; special education; research; and foundations of education.

(c) An emergency certificate may be issued to a candidate who has obtained the following:

1. A master's degree from a regionally accredited college or university;
2. Two years of successful teaching experience; and
3. Completion of 12 graduate credits in the areas listed in (b)2 above.

While the Board cannot waive the requirements, it can consider alternative education or experience if Petitioner demonstrates, by a preponderance of the credible evidence, that the alternative education or experience is the one-to-one equivalent with the statutory requirements. Hutchinson v. New Jersey State Board of Examiners, EDU16373-12, Initial Decision (April 5, 2013), aff'd, Commissioner (May 15, 2013).

The Board determined that Petitioner satisfied the requirements for RSC, except for six of the thirty semester hours, including study in reading foundations and supervised practicum in reading. Petitioner requested the Board consider alternate education and/or experience equivalent to the deficiency noted herein. Upon review of what Petitioner supplied, the Board found Petitioner satisfied the required study in the area of reading foundations. It did not find that Petitioner satisfied the requirement of supervised reading practicum. Accordingly, the Board denied the application as to the three remaining credits in a supervised practicum in ready.

The standard to apply in this matter is whether the Board's decision is consistent with the applicable statutory and regulatory provisions. See Jessica Walder v. St. Bd. of Exam'rs, Commissioner's Decision No. 503-14, dated December 29, 2014.

The burden of proof is upon the petitioner to establish the Board's decision did not comport with the applicable statutory and regulatory provisions. McQuilken v. St. Bd. of Exam'rs, OAL Dkt. No. EDU 8375-11, Initial Decision (Dec. 13, 2011), <http://njlaw.rutgers.edu/collection/oal>, adopted Comm'r (January 27, 2012) (citing Farrar v. St. Bd. of Exam'rs, OAL Dkt. No. EDU 13768-08, Initial Decision (Sept. 9, 2009), adopted Comm'r (July 26, 2010). <http://njlaw.rutgers.edu/collections/oal>).

Petitioner presented the Board with the course she took, SPED 609, which contained a supervised reading practicum. The Board, in its decision, determined that this course did not meet the requirement as set forth in N.J.A.C. 6A:9B-14.13. However, N.J.A.C. 6A:9B-14.13 does not define what the supervised reading practicum should encompass. Nothing, apparently, defines what this encompasses. The Board

set forth what it believes the supervised reading practicum should be. However, nowhere is that defined in the regulation.

The Board is duly authorized to make rules regarding matters over which it has jurisdiction. N.J.S.A. 18A:4-15 states: The state board shall make and enforce, and may alter and repeal, rules for its own government and for implementing and carrying out the school laws of this state under which it has jurisdiction. In adopting N.J.A.C. 6A:9B-14.13 it failed to define “supervised reading practicum”. Its decision, which does define “supervised reading practicum” is not the governing rule in the matter at hand. Accordingly, the Board’s decision is not consistent with the applicable statutory and regulatory provisions, as the Board expanded “supervised reading practicum” from what is stated in the governing rule. In effect, the Board made a rule expanding on the requirement without resort to the rule making procedure set forth in the Administrative Procedures Act. N.J.S.A. 52:14B-1 et seq.

I **CONCLUDE** that Petitioner has shouldered her burden of proof and that the Board of Examiners’ decision is not supported by credible evidence, nor consistent with the applicable statutory and regulatory provisions.

Therefore, I **CONCLUDE** that the Board’s denial of the RSC, as set forth in its Decision dated April 7, 2022, should be **REVERSED**.

ORDER

It is hereby **ORDERED** that the Board’s denial of the RSC, as set forth in its Decision dated April 7, 2022, is **REVERSED**; and,

It is further **ORDERED** that the Board issue Reading Specialist Certificate (RSC) to Petitioner.

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.



November 15, 2023

DATE

THOMAS R. BETANCOURT, ALJ

Date Received at Agency:

Date Mailed to Parties:

db

APPENDIX

List of Witnesses

For Petitioner:

Stephanie Florio, Petitioner

Rani Singh

For Respondent:

Rani Singh

List of Exhibits

Joint Exhibits¹

- J-1 Respondent's Answers to Petitioner's Interrogatories
- J-2 Respondent's Response to Petitioner's Request for Production of Documents
- J-3 New Jersey Commissioner of Education's Final Decision
- J-4 Synopsis of New Jersey Commissioner of Education Final Decision
- J-5 Graduate Bulletin for the 2014-2015
- J-6 Response to Petitioners' OPRA request
- J-7 April 7, 2022 Decision by New Jersey Dept. of Ed. State Board of Examiners
- J-8 Petitioner's Transcripts from TCNJ

¹ The only documents presented were Petitioner's Exhibits 1 through 8. Exhibit 1 was marked J-1 and Exhibit 2 was marked J-2, Were the only exhibits marked during the hearing. However, the undersigned has admitted all documents contained in Petitioner's exhibits a joint exhibits. They are all relevant to the matter at hand.