

New Jersey Commissioner of Education
Order on Emergent Relief

A.G.-F.,

Petitioner,

v.

Board of Education of the Borough of Mountain
Lakes, Morris County,

Respondent.

The record of this emergent matter, the sound recording of the hearing held at the Office of Administrative Law (OAL), and the recommended Order of the Administrative Law Judge (ALJ) have been reviewed and considered.

Upon review, the Commissioner concurs with the ALJ that petitioner has failed to demonstrate entitlement to emergent relief pursuant to the standards enunciated in *Crowe v. DeGioia*, 90 N.J. 126, 132-34 (1982), and codified at N.J.A.C. 6A:3-1.6.

Accordingly, the recommended Order denying petitioner's application for emergent relief is adopted. This matter shall continue at the OAL with such proceedings as the parties and the ALJ deem necessary to bring it to closure.

IT IS SO ORDERED.


COMMISSIONER OF EDUCATION

Date of Decision: December 4, 2025
Date of Mailing: December 4, 2025



State of New Jersey

OFFICE OF ADMINISTRATIVE LAW

ORDER

DENYING EMERGENT RELIEF

OAL DKT. NO. EDU 18852-25

AGENCY DKT. NO. 367-10/25

A.G.-F.,

Petitioner,

v.

**BOARD OF EDUCATION OF THE BOROUGH
OF MOUNTAIN LAKES, MORRIS COUNTY,**

Respondent.

A.G.-F., petitioner, pro se

Vittorio LaPira, Esq., for respondent (Fogarty Hara LaPira & Cherry, attorneys)

Record Closed: November 12, 2025

Decided: November 13, 2025

BEFORE **ANDREA PERRY VILLANI, ALJ:**

STATEMENT OF THE CASE

On September 10, 2025, the Board of Education of Mountain Lakes (Board), prohibited A.G.-F. from entering her son's middle school. A.G.-F. now seeks an emergency order lifting the prohibition, but she has not demonstrated irreparable harm.

Is A.G.-F. entitled to emergency relief? No. Emergency relief may only be ordered when irreparable harm will otherwise result. N.J.A.C. 1:1-12.6(a).

PROCEDURAL HISTORY

On September 10, 2025, the Board prohibited A.G.-F. from entering Briarcliff Middle School in Mountain Lakes.

On September 12, 2025, the Board prohibited A.G.-F. from entering any school property in Mountain Lakes.

On October 30, 2025, A.G.-F. filed a petition of appeal and request for emergency relief with the New Jersey Department of Education, Office of Controversies and Disputes.

On November 3, 2025, the New Jersey Department of Education, Office of Controversies and Disputes, transmitted the case as a contested case to the Office of Administrative Law (OAL) under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the act establishing the OAL, N.J.S.A. 52:14F-1 to -23.

On November 12, 2025, I heard oral argument on A.G.-F.'s request for emergency relief and closed the record.

FINDINGS OF FACT

Based on the oral arguments and documents presented by the parties, I **FIND** the following as **FACT** for purposes of this application only:

On September 10, 2025, the Board notified A.G.-F.'s husband, N.F., via phone that he and A.G.-F. (the parents) must pick up their twelve-year-old son from Briarcliff Middle School because he was suspended. The Board claims that the child stated, "If nobody else tells me why I need to go to the Nurse's office, I am going to shoot up the

school,” and that several people witnessed the incident. A.G.-F. maintains that the child stated, “I’m going to crash out if she continues to ignore me.”

That same day, school personnel advised the parents to wait outside the building for staff to escort their son out. However, according to the Board, N.F. used physical force to gain entry into the building while arguing with Principal Erik Carlson and a school resource officer. The school then issued a shelter-in-place and called Mountain Lakes Police for assistance. The police wrote a report of the incident. N.F. denies using physical force to enter the building.

Later that day, the Board notified N.F. via email that the parents were prohibited from entering Briarcliff School. The Board issued the prohibition pursuant to Board Policy 9150, which states in relevant part, “The Board may bar the attendance at school functions or access to school property of any visitor whose conduct, in the opinion of the Board, may constitute a disruption.”

After receiving notice of the prohibition, N.F. emailed Superintendent Brad Siegal. At approximately 7:40 p.m., N.F. wrote, “New Jersey state and federal law allows me to be in the school and since there no LAWS broken I cannot be banned from a public building. So when I have to be in that school I will be and threats of police action leads to the harassment.”

The next day, September 11, 2025, A.G.-F. appeared at Briarcliff School. According to Siegel, A.G.-F. attempted to enter the building before being stopped by a school resource officer. According to A.G.-F., she arrived with a medical clearance letter for her son, remained outside the building, and did not attempt to enter. A.G.-F. provided video of Principal Carlson raising his voice saying, “Your son is suspended!” and abruptly closing the door. She did not enter the building.

On September 12, 2025, the Board notified the parents that they were now prohibited from all Mountain Lakes schools and campuses, unless they received express written permission from Siegel. Siegel explained in his letter to the parents that

this was due to N.F.'s statement that he would not comply with the prior prohibition and A.G.-F.'s attempt to violate that prohibition.

On October 8, 2025, A.G.-F. emailed Siegel asking when the parents would be allowed to return to campus. On October 9, 2025, Siegel emailed back stating that the decision would be re-evaluated in six months from the date of restriction. He also noted that N.F. recently caused a disruption at the homecoming dance. Siegel claims that N.F. arrived at the dance thirty minutes late and demanded that the assistant principal meet him in the parking lot to address an issue. A.G.-F. explained that N.F. was not late, he was simply confused about where to pick up their daughter, and the assistant principal came out to speak to N.F. of his own accord about their daughter, who had been crying.

On October 27, 2025, A.G.-F. emailed Siegel again. This time, she said she felt six months was excessive, and she asked about an appeal process.

On October 31, 2025, the parents appeared at Wilkins Field, which is Mountain Lakes school property, for the school's Halloween parade. Mountain Lakes Police and school resource officers told the parents to leave. The parents initially complied, but they returned to the field shortly after.

Since the prohibition was implemented, the Board has permitted the parents to attend certain school meetings virtually. For instance, the school conducted a Special Education Initial Eligibility meeting for one of the parties' children via Google Meet so the parents could participate.

A.G.-F. reports that the Board has not allowed her to attend certain meetings because of the prohibition. Specifically, she identified a School Security Parent Meeting on September 15, 2025, and Back to School Night. At oral argument, A.G.-F. added that her son received an audiology exam at school that she could not attend, and she missed a parent-teacher conference because the audio/visual equipment failed.

Also at oral argument, A.G.-F. alleged that her children are being bullied because their parents are prohibited from Mountain Lakes school property, but she did not provide any proof connecting the bullying to the prohibition. For instance, A.G.-F. submitted a photo from Snapchat that was purportedly posted by her older son's cross-country teammates. The photo is a screenshot of her son with the word "execution" added to the photo in the background. However, there is nothing about the photo that connects it to the school's restriction on the parents. Meanwhile, the school offered to arrange a phone conference or Zoom meeting for the parents with the high school principal to discuss the photo.

CONCLUSIONS OF LAW

Under N.J.A.C. 1:1-12.6, an Administrative Law Judge may order emergency relief pending a final decision on the whole contested case where authorized by law and where irreparable harm will result without an expedited decision. The harm must be substantial and immediate, Judice's Sunshine Pontiac, Inc. v. Gen. Motors Corp., 418 F. Supp. 1212, 1218 (D.N.J. 1976), and more than a risk of irreparable harm must be demonstrated, Cont'l Grp., Inc. v. Amoco Chems. Corp., 614 F.2d 351, 359 (D.N.J. 1980).

In this case, A.G.-F. has not demonstrated that she will suffer irreparable harm. Indeed, the only harm A.G.-F. has specifically identified is that she was unable to attend a School Security Parent Meeting, Back to School Night, a parent-teacher conference, and a hearing test. A.G.-F. did not allege that she wasn't given the information shared at these meetings; and, while her exclusion from such events was undoubtedly inconvenient and upsetting, it does not rise to the level of substantial, immediate, and irreparable harm. Therefore, I **CONCLUDE** that A.G.-F. is not entitled to an expedited decision for emergency relief and, instead, this case will proceed to a final decision on the whole contested case in due course.

ORDER

Given my Findings of Fact and Conclusions of Law, I **ORDER** that A.G.-F.'s request for emergency relief is **DENIED**.

This order on application for emergency relief may be adopted, modified or rejected by the ACTING **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**, who by law is authorized to make a final decision in this matter. The final decision shall be issued without undue delay, but no later than forty-five days following the entry of this order. If the Acting Commissioner of the Department of Education, does not adopt, modify or reject this order within forty-five days, this recommended order shall become a final decision on the issue of emergent relief in accordance with N.J.S.A. 52:14B-10



November 13, 2025

DATE

ANDREA PERRY VILLANI, ALJ

Date Received at Agency:

November 13, 2025

Date Mailed to Parties:

November 13, 2025

sej

APPENDIX

DOCUMENTS RELIED ON

A.G.-F.'s October 30, 2025 Letter Brief with Exhibits

Board's November 11, 2025 Certification of Brad Siegel with Exhibits

Board's November 11, 2025 Letter Brief