

SB #4-06

IN THE MATTER OF THE NONRENEWAL : STATE BOARD OF EDUCATION
OF THE CHARTER OF THE GATEWAY :
CHARTER SCHOOL, HUDSON COUNTY. : DECISION ON MOTION

Decided by the Acting Commissioner of Education, December 30, 2005

For the Appellant, Sills, Cummis, Epstein & Gross (Philip E. Stern, Esq., of Counsel)

For the Participant Acting Commissioner of Education, Patricia M. O'Neill, Deputy Attorney General (Zulima V. Farber, Attorney General of New Jersey)

In a letter decision issued on December 30, 2005, the Acting Commissioner of Education determined that the charter for the Gateway Charter School would not be renewed for an additional five-year period. On January 27, 2006, the Charter School filed the instant appeal to the State Board. On April 21, 2006, the Acting Commissioner filed a motion to participate in this matter. By letter dated April 24, 2006, the Charter School advised that it did not oppose the Acting Commissioner's motion.

After a review of the papers filed, we grant the motion. The Acting Commissioner's answer brief is due by July 3, 2006. The Charter School may file a reply brief within ten days after service of the Acting Commissioner's brief.

Arcelio Aponte abstained.

June 7, 2006

Date of mailing _____