

IN THE MATTER OF THE PLACEMENT OF :  
THE BOARD OF EDUCATION OF THE : STATE BOARD OF EDUCATION  
CITY OF ELIZABETH ON THE :  
PERFORMANCE CONTINUUM PURSUANT : DECISION ON MOTION  
TO N.J.S.A. 18A:7A, ET SEQ., :  
UNION COUNTY. :

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Decided by the Commissioner of Education, August 20, 2007

Decision on motion by the Commissioner of Education, October 30, 2007

For the Appellant, Richard E. Shapiro, Esq.

For the Participant, Melissa Dutton, Deputy Attorney General (Anne  
Milgram, Attorney General of New Jersey)

In a letter decision dated August 20, 2007, the Commissioner of Education set forth her evaluation of the Elizabeth School District and provided determinations of the school district's performance and placement on the performance continuum in accordance with the requirements of N.J.S.A. 18A:7A-1 et. seq. By letter of August 27, 2007, the Elizabeth School District sought reconsideration of the Commissioner's determinations. Upon review of the Elizabeth School District's request for reconsideration pursuant to N.J.A.C. 6A:30-8.3(h), on October 30, 2007 the Commissioner issued a decision setting forth revised indicator scores with respect to two of the indicators for which the Elizabeth School District sought reconsideration and denied reconsideration with respect to the remaining indicator scores.

The Board of Education of the City of Elizabeth filed the instant appeal to the State Board.

On December 18, 2007, the Deputy Attorney General representing the Commissioner filed a motion to participate on the Commissioner's behalf. The Board of Education of the City of Elizabeth did not submit a response to the motion.

After a review of the papers filed, we grant the Commissioner's motion.

February 20, 2008

Date of mailing \_\_\_\_\_