

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

DISMISSAL-FAILURE TO APPEAR

OAL DKT. NO. EDS 16368-18

AGENCY DKT. NO. 2019-28914

V.S. ON BEHALF OF J.R.

Petitioner,

v.

TRENTON BOARD OF EDUCATION,

Respondent.

No appearance by or on behalf of petitioner

No appearance by or on behalf of respondent

Record Closed: November 26, 2018

Decided: November 26, 2018

BEFORE **JOHN S. KENNEDY**, ALJ:

This case which arises under the Individuals with Disabilities Education Act, 20 U.S.C.A. §§1401 to 1484(a) and C.F.R. §§300.500, was transmitted to the Office of Administrative Law (OAL) for hearing on November 15, 2018.

A hearing was scheduled for November 20, 2018. On the day of hearing the petitioner and the respondent did not appear. As of the date of this Decision, the petitioner and the respondent have not explained their nonappearance. Accordingly,

the petition must be **DISMISSED** for failure to pursue a claim of action under N.J.A.C. 1:1-14.4.

ORDER

I **ORDER** that the petition be **DISMISSED**.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2018) and is appealable by filing a complaint and bringing a civil action either in the Law Division of the Superior Court of New Jersey or in a district court of the United States. 20 U.S.C. § 1415(i)(2); 34 C.F.R. § 300.516 (2017).

November 26, 2018
DATE

JOHN S. KENNEDY, ALJ

Date Received at Agency:

November 26, 2018

Date Sent to Parties:

/dm