



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

DECISION

(Dismissal for Failure to Appear)

OAL DKT. NO. EDS 03360-18

AGENCY DKT. NO. 2018/27537

M.L. ON BEHALF OF E.L.,

Petitioners,

v.

PATERSON BOARD OF EDUCATION,

Respondent

M.L., parent of **E.L.**, Petitioner, pro se

Frances Barto, Esq., for Respondent (Barto & Barto, attorneys)

Record Closed: October 15, 2018

Decided: October 15, 2018

BEFORE THOMAS R. BETANCOURT, 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 for hearing and final decision on March 6, 2018.

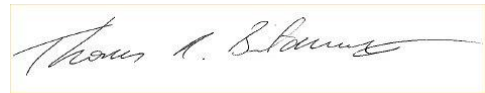
A hearing was scheduled for October 15, 2018, notice of which was sent to the petitioner by the Office of Administrative Law on March 23, 2018. These dates were also confirmed in a Pre-hearing Order issued on March 26, 2018.

On the day of hearing petitioner did not appear. Attempts were made to contact Petitioner by telephone and a message was left for her return call. Petitioner has not explained her 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 (2018). If the parent or adult student feels that this decision is not being fully implemented with respect to program or services, this concern should be communicated in writing to the Director, Office of Special Education Programs.



October 15, 2018

DATE

THOMAS R. BETANCOURT, ALJ

Date Received at Agency

Date Mailed to Parties:
