



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

OAL DKT. NO. EDS 11781-18

AGENCY DKT. NO. 2019 28591

C.H. ON BEHALF OF A.H.,

Petitioner,

v.

CHERRY HILL TOWNSHIP

BOARD OF EDUCATION,

Respondent.

Brandon R. Croker, Esq., for petitioner (Comegno Law Group, P.C., attorneys)

Robin S. Ballard, Esq., for respondent (Schenck, Price, Smith & King, L.L.P., attorneys)

Record Closed: September 4, 2018

Decided: September 5, 2018

BEFORE **LISA JAMES-BEAVERS**, Acting Director and Chief ALJ:

On May 31, 2018, petitioner filed a due process complaint with the Department of Education, Office of Special Education Programs on behalf of the minor child A.H., in which she agrees with the Individualized Education Program (IEP), program, placement and related services proposed by respondent Cherry Hill Township Board of Education (Board) and seeks an Order implementing the IEP. On May 30, 2018, G.H. filed a due

process petition that the IEP, program, placement and related services to be provided by the respondent do not provide a free and appropriate public education (FAPE).

This matter was transmitted to the Office of Administrative Law (OAL) for a due process hearing. The OAL received the matter on August 15, 2018 and an initial hearing was scheduled for August 30, 2018. Since petitioner G.H., in OAL Dkt. No. EDS 11780-18, failed to appear on his scheduled date and has not called or written to the undersigned to explain his failure to appear and his petition was the only impediment to implementing the IEP, there is no opposition to the IEP.

Accordingly, it is **ORDERED** that the IEP in the matter may implemented.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2017) 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). 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.

September 5, 2018

DATE



LISA JAMES-BEAVERS
Acting Director and Chief
Administrative Law Judge

Date Received at Agency

Date Mailed to Parties:

caa