



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**FINAL DECISION**

OAL DKT. NO. EDS 10055-19

AGENCY DKT. NO. 2019-30229

**JEFFERSON TOWNSHIP BOARD OF EDUCATION,**

Petitioner,

v.

**C.G. ON BEHALF OF N.K.,**

Respondent.

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**Marc G. Mucciolo**, Esq., for Petitioner (Methfessel & Werbel, P.C., attorneys)

**No appearance from C.G.**, Respondent, pro se, parent of N.K.

Record Closed: August 22, 2019

Decided: August 22, 2019

BEFORE **CAROL I. COHEN**, ALJ: (Ret. on recall)

**STATEMENT OF THE CASE AND**  
**PROCEDURAL HISTORY**

On June 4, 2019, C.G. sent a letter to the District advising that she was requesting an independent Dyslexia evaluation to be completed by a Learning Disability Teaching Consultant.

On June 24, 2019 the Petitioner, Jefferson Township Board of Education, filed a petition for Due Process to deny Independent Evaluations.

The matter was originally scheduled for a hearing on August 8, 2019 at 9:00 a.m. C.G. failed to attend. She claimed that she did not get adequate notice of the hearing and the matter was rescheduled for August 22, 2019 at 1:00 p.m. The judge's assistant called at 9:00 a.m. and 1:00 p.m. on August 22, 2019 and left a message reminding C.G. of the 1:00 p.m. hearing. C.G. did not appear, nor did she notify the Court of her inability to attend.

The Court heard testimony of Ms. Horey, Director of Special Services for the District. She testified that the District had performed a psychiatric evaluation to rule out dyslexia. They also requested evaluations from the reading specialist and technology specialist. Psychological, educational and psychiatric evaluations were done within the 2018-19 school year. The results of the evaluation were that the student exhibited no indicators of dyslexia and therefore an independent evaluation was not required.

### **CONCLUSIONS OF LAW**

Based on C.G.'s failure to appear and present her case and based on the testimony presented by the District, I **CONCLUDE** that the District has demonstrated that an independent educational evaluation for dyslexia is not required.

### **ORDER**

It is hereby **ORDERED** that the District's application denying an Independent Educational Evaluation is **GRANTED**.

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).



August 22, 2019

DATE

CAROL I. COHEN, ALJ (Ret. on recall)

Date Received at Agency

Date Mailed to Parties:

db