



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

**FINAL DECISION**

**DISMISSAL-FAILURE TO APPEAR**

OAL DKT. NO. EDS 09938-18

AGENCY DKT. NO. 2018-28021

**N.C. ON BEHALF OF B.C.,**

Petitioner,

v.

**GLOUCESTER CITY BOARD  
OF EDUCATION,**

Respondent.

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**N.C.** on behalf of **B.C.**, petitioner, pro se

**Susan S. Hodges, Esq.**, for respondent (Parker McCay, attorneys)

Record Closed: February 21, 2019

Decided: March 13, 2019

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 July 16, 2018.

A dial-in telephonic hearing was scheduled for February 21, 2019, at 4:00 p.m., a notice of which was sent to the petitioner on January 22, 2019, by regular mail. On the day

of the telephonic hearing, the petitioner did not appear. This was the second time the petitioner was a failure to appear, and as of the date of this Decision, the petitioner has not explained her non-appearance. 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).



March 13, 2019  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
**JOHN S. KENNEDY, ALJ**

Date Received at Agency: \_\_\_\_\_

Date emailed to Parties: \_\_\_\_\_

/dm