State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION
EMERGENT RELIEF
OAL DKT. NO. EDS 16384-24
AGENCY DKT. NO. 2025-38356

C.B. ON BEHALF OF J.D.,
Petitioner,
v.
BLOOMFIELD TOWNSHIP BOARD OF EDUCATION,
Respondent.

Ruby Kish, Esq., for petitioner (Disability Rights of New Jersey, attorneys)

Danielle N. Pantaleo, Esq., for respondent (The Busch Law Group, LLC, attorneys)

Record Closed: December 6, 2024 Decided: December 9, 2024

BEFORE **MATTHEW G. MILLER**, ALJ:

STATEMENT OF THE CASE

Petitioner, C.B.[1] on behalf of her minor son J.D., seeks an emergent order compelling the Bloomfield Board of Education ("Bloomfield") to return him to his general

[1] J.D.'s mother.

educational program at Bloomfield High School, pending the outcome of his due process hearing. Respondent opposes this request claiming that petitioner is not entitled to the requested relief or, in the alternative, that he has failed to meet the requirements for emergent relief.

PROCEDURAL HISTORY

On November 15, 2024, petitioner filed a complaint for a due process hearing with the New Jersey Department of Education, Office of Special Education (OSE). Then, on November 21, 2024, petitioner filed a request for emergent relief with the OSE. That same day, the OSE transmitted the emergent relief request to the Office of Administrative Law (OAL), as an emergent, contested matter. N.J.S.A. 52:14B-1 to B-15; N.J.S.A. 52:14F-1 to F-23. An initial conference was held on November 26, 2024 and oral argument on the emergent request was held on December 5, 2024 in Newark.[2] The record was held open for the submission of additional argument and closed on December 6, 2024.

FACTUAL DISCUSSION AND FINDINGS

The parties agree that the material facts concerning this emergent matter are not in dispute and accordingly, I **FIND** as **FACTS**:

J.D. is a seventeen-year-old male who is eligible for special education ("SE") and related services pursuant to the eligibility category of Specific Learning Disability. At all times leading up to the incident which led to the filing of these actions and pursuant to his December 1, 2023 individualized education program ("IEP"), J.M. received instruction in a general education ("GE") class at Bloomfield High School.

J.D. did not have a particularly significant disciplinary record at the high school and had never received an out-of-school suspension. However, on September 24, 2024, it is alleged that J.D. assaulted another student, causing serious injury. He was immediately

[2] The matter was originally scheduled for December 4, 2024, but was adjourned for one day due to counsels' availability issues.

suspended from school for ten days. Given his disability, a manifestation determination review ("MDR") was (timely) held and it was determined that the incident was NOT a manifestation of his disability and he began receiving home instruction. Petitioner did not challenge this finding.

Before an administrative hearing with the Superintendent of Schools could be held, the IEP team convened a meeting on November 1, 2024. The team recommended that home instruction continue indefinitely until an appropriate out-of-school-district-placement could be secured for J.D. Petitioner did not agree with the IEP team's recommendation and filed for a due process hearing on November 15, 2024.

Ultimately, a disciplinary hearing was held on November 12, 2024 and J.D. was suspended for the legal maximum of forty-five days. The parties agree that because of a delay caused by petitioner's prior counsel, the forty-five-day suspension would end on November 19, 2024. Petitioner did not challenge the forty-five-day suspension.

On November 19, 2024, in response to an email query, petitioner was advised that respondent would not permit J.D. to return to in-person instruction at Bloomfield High School on November 20, 2024.

This emergent application followed and J.D. has remained on home instruction in the interim.

Both C.B. and J.D. attended oral argument as did the Principal of Bloomfield High School and its Director of Special Services.

LEGAL ANALYSIS AND CONCLUSION

N.J.A.C. 1:6A-12.1(a) provides that the affected parent(s), guardian, board, or public agency may apply in writing for emergency relief. An emergency relief application is required to set forth the specific relief sought and the specific circumstances that the applicant contends justify the relief sought. Each application is required to be supported by an affidavit prepared by an affiant with personal knowledge of the facts contained

therein and, if an expert's opinion is included, the affidavit shall specify the expert's qualifications.

Emergent relief shall only be requested for the following issues pursuant to N.J.A.C. 6A:14-2.7(r):

> i. Issues involving a break in the delivery of services;
>
> ii. Issues involving disciplinary action, including manifestation determinations and determinations of interim alternate educational settings;
>
> iii. Issues concerning placement pending the outcome of due process proceedings; and
>
> iv. Issues involving graduation or participation in graduation ceremonies.

There are multiple aspects of the Administrative Code that apply here.

First, N.J.A.C. 6A:16-7.3 et seq. deals with long-term suspensions, with a specific citation to students with a disability:

> (a) In each instance of a long-term suspension, the district board of education shall assure the rights of a student suspended for more than 10 consecutive school days by providing the following:
>
> …
>
> 7. For a student with a disability, a manifestation determination, pursuant to 6A:14-2.8 and the Federal rules incorporated by reference therein;

Discipline, suspensions and expulsions are covered by N.J.A.C. 6A:14-2.8 et seq.[3]:

> (a) For disciplinary reasons, district board of education officials may order the removal of a student with a disability from his or her current educational placement to an interim alternative educational setting, another setting, or a suspension for up to 10 consecutive or cumulative school days in a school year. Such suspensions are

[3] See also, 34 C.F.R. 300.530(c).

subject to the same district board of education procedures as the procedures for nondisabled students. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager and the student's parent(s).

1. Notwithstanding (a) above, preschool students with disabilities shall not be suspended, long-term or short-term, and shall not be expelled.

2. The district board of education is not required by 20 U.S.C. §§ 1400 et seq., or this chapter to provide, during periods of removal, services to a student with a disability who has been removed from his or her current placement for 10 school days or less in a school year, provided that if services are provided to general education students for removals of 10 or fewer days duration, students with disabilities shall be provided services in the same manner as students without disabilities during such time periods for removals of 10 or fewer days.

(b) District board of education personnel may consider, on a case-by-case basis, any unique circumstances when determining whether or not to impose a disciplinary sanction or order a change of placement for a student with a disability who violates a district board of education code of conduct.

(c) Removals of a student with a disability from the student's current educational placement for disciplinary reasons constitutes a change of placement if:

1. The removal is for more than 10 consecutive school days;

or

2. The student is subjected to a series of short-term removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

i. District board of education officials, in consultation with the student's case manager, shall determine whether a series of short-term removals constitutes a pattern that creates a change of placement.

It is N.J.A.C. 6A:14-8(d), however, that is key:

> (d) Disciplinary action initiated by a district board of education that involves removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion of a student with a disability shall be in accordance with 20 U.S.C. § 1415(k). (See N.J.A.C. 6A:14 Appendix A.) However, removal to an interim alternative educational setting of a student with a disability in accordance with 20 U.S.C. § 1415(k) shall be for a period of no more than 45 calendar days.
>
> (emphasis added.)

That section then harkens back to N.J.A.C. 6A:16-7.3(g):

> (g) For a student with a disability who receives a long-term suspension, the district board of education shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the student's educational placement to an interim or alternate educational setting.
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> 1. All procedural protections set forth in N.J.A.C. 6A:14 and this section shall be afforded to a student with a disability who is subjected to a long-term suspension.
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> 2. All decisions concerning the student's educational program or placement shall be made by the student's individualized education program team.
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> 3. The provisions of (b) through (f) above shall not apply to students with disabilities.

The forty-five-day limitation is further reiterated in N.J.A.C. 6A:14-2.8(f), which reads:

> In the case of a removal for drug or weapons offenses, or because the student caused a serious bodily injury in accordance with 20 U.S.C. § 1415(k) and its implementing regulations at 34 CFR Part 300, or a removal by an administrative law judge for dangerousness consistent with 20 U.S.C. § 1415(k) and its implementing regulations at 34 CFR

> Part 300, the district board of education shall provide services to the student with a disability consistent with 20 U.S.C. § 1415(k) and its implementing regulations at 34 CFR Part 300, incorporated herein by reference. However, removal to an interim alternative educational setting of a student with a disability in accordance with 20 U.S.C. § 1415(k) shall be for a period of no more than 45 calendar days.
>
> (emphasis added.)

As noted above, there is no dispute between the parties that the MDR correctly determined that the incident did not occur as a result of J.D.'s disability and petitioner is not contesting the propriety of the forty-five-day suspension.[4] This eliminates 34 C.F.R. 300.533 from consideration. This Federal Code provision reads;

> When an appeal under § 300.532 has been made by either the parent or the LEA, the child must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period specified in § 300.530(c) or (g), whichever occurs first, unless the parent and the SEA or LEA agree otherwise.
>
> [See 34 C.F.R. 300.533.]

As noted above, Bloomfield did not file any appeals or requests for due process in this case, nor did the parent appeal the suspension, its length or the Interim Academic Educational Setting ("IAES") (home instruction) as determined by the IEP team. 34 C.F.R. 300.351. The dispute only arises out of Bloomfield's failure to abide by N.J.A.C. 6A:14-8(d).

I would note that my analysis relies in part on J.M. o/b/o J.M. v. Ewing Tp. Bd. of Educ., 2023 N.J. Agen. LEXIS 926 (Dec. 19, 2023), which has a very similar fact pattern and was also argued by petitioner's current counsel.

There, as here, the petitioner sought relief under the third "stay put" prong, arguing that Bloomfield modified J.D.'s IEP in violation of the "stay-put" provision of the Individuals

[4] The forty-five-day suspension is permitted per 34 C.F.R. 300.530(g)(3), since it is uncontested for the purposes of this case that the incident "inflicted serious bodily injury" to the alleged victim and occurred on school grounds. See also N.J.A.C. 6A:14-2.8(f).

with Disabilities in Education Act (IDEA). 20 U.S.C. 1415(j). Specifically, petitioner alleges that the Bloomfield and/or the IEP team did not have the authority to maintain J.D. on home instruction after he completed his forty-five-day suspension on November 19, 2024, instead of returning him to the GE classroom with his peers.

While usually a party requesting emergent relief must establish the factors set forth in Crowe v. DeGioia, 90 N.J. 126 (1982), there is an exception: where a parent alleges that the district violated the "stay-put" provision. Ibid. To obtain emergent relief in that instance, the petitioner must demonstrate that the district implemented or proposed a fundamental change to the student's then-current educational placement. G.R. o/b/o M.B. v. Irvington Twp. Bd. of Educ., EDS 00986-15, 2015 WL 3962537, *1 (N.J. Adm. Feb. 5, 2015). See also, Olu-Cole v. E.L. Haynes Pub. Charter Sch., 930 F.3d 519 (D.C. Cir. 2019).

The relevant IDEA regulation and its counterpart in the New Jersey Administrative Code underscore that a child remains in his or her current educational placement "during the pendency of any administrative or judicial proceeding regarding a due process complaint." 34 C.F.R. § 300.518(a) (2016); N.J.A.C. 6A:14-2.7(u). The stay-put provision functions as an automatic preliminary injunction, one which dispenses with the customary need for a court to weigh the factors for emergent relief such as irreparable harm and likelihood of success on the merits. Drinker by Drinker v. Colonial Sch. Dist., 78 F. 3d 859,859 (3d Cir.1996). Stay-put maintains the status quo for the child while the dispute over the IEP remains unresolved. Ringwood Bd. of Educ. v. K.H.J., 469 F. Supp.2d 267, 270–71 (D.N.J. 2006).

Here, respondent's most forceful argument is that J.D.'s "current educational placement" is home instruction; in other words, that is his "stay put." Logically, then, petitioner is compelled to meet the entirety of four factor Crowe test. In support of its position, it cites to Ocean Twp. Bd. of Educ. v. E.R. ex rel. O.R., 2014 U.S. Dist. LEXIS 30479 (Mar. 10, 2014). It also cites to Drinker in support of its argument, since the "operative placement actually functioning at the time the dispute first arises" is home instruction. Id. at 867, cit. Thomas v. Cincinnati Bd. of Educ., 918 F.2d 618, 625-26 (6th Cir. 1990).

The petitioner counters that respondent deliberately confuses an IAES setting placement for disciplinary reasons and one that was derived from the last agreed-upon placement (in-school instruction per the December, 2023 IEP).

In the J.M. matter, as part of the Ewing BOE's imposed discipline, after the forty-five-day suspension, the student was transferred to the school's alternative learning program ("ALP"), which is an IAES. While the ALP is located at Ewing High School, it is not part of the GE program.

Significantly, it was found that this transfer was a unilateral change in placement which specifically violates the stay-put provision of the IDEA, since the petitioner neither requested nor acceded to the placement. The judge then concluded that J.M. was entitled to an "automatic injunction" pursuant to 20 U.S.C. §1415(j).

Next, petitioner contended that respondent did not have the authority per either the IDEA or the Code to continue J.M's removal from Ewing HS for more than forty-five days, since both authorities prohibit the removal of a student with disabilities from their placement for more than forty-five days and that any attempt to do so is a unilateral change in placement.

As noted above, for disciplinary reasons, school officials may remove a student with a disability from a current placement to an IAES, another setting, or suspension for up to ten consecutive or cumulative, school days in a school year. N.J.A.C. 6A:14-2.8(a). Such a suspension is subject to the same district board of education procedures as applicable to nondisabled students, unless the removal is for more than ten consecutive or ten cumulative school days. N.J.A.C. 6A:14-2.8(c)(1). Further, disciplinary action of a student with a disability must be consistent with the requirements of 20 U.S.C. § 1415(k): "[R]emoval to an interim alternative educational setting of a student with a disability in accordance with 20 U.S.C. § 1415(k) shall be for a period of no more than 45 calendar days." N.J.A.C. 6A:14-2.8(d).

The regulations are clear. When a student with a disability is removed from a current placement for more than ten cumulative or consecutive school days in any one school year, the board of education is required to provide services to the extent necessary to enable the student to progress appropriately in a GE curriculum and achieve her or his IEP goals. N.J.A.C. 6A:14-2.8(e). Further, when a removal constitutes a change of placement and it is determined that the behavior in question is not a manifestation of the student's disability, the student's IEP team shall determine the extent to which services are necessary to enable the student to progress appropriately in a general curriculum and towards achieving the goals set out in the IEP. N.J.A.C. 6A:14-2.8(e).

A similar situation occurred in Olu-Cole. There, like here, a high school refused to return a disabled student to his original educational placement following a forty-five-day suspension arising out of an assault. The court, in an extremely well-written and persuasive decision, addressed respondent's position that stay-put transformed from in-school instruction to home instruction as a result of the now concluded forty-five-day suspension.

> Lastly, the School challenges the predicate assumption that stay put applied at all in this case. In its view, 34 C.F.R. § 300.533—which limits the interim placement to the 45-day period specified in § 300.530(g)—conflicts with the IDEA's express directive that the child "remain in the interim alternative educational setting" until the hearing officer issues her decision, 20 U.S.C. § 1415(k)(4). School Br. 19-20.
>
> That position fails to read the statutory text as a whole. First, Section 1415(k)(1)(G) explicitly limits a school's authority to "remove a student to an interim alternative educational setting for not more than 45 school days." (emphasis added). If a school could wait until the 45th day to request a hearing, it could exclude a child for up to 75 days, in direct contravention of the "no more than 45 school days" mandate, id. See 20 U.S.C. § 1415(k)(4)(A).
>
> Second, Section 1415(k)(3)(B)(ii)(II) imposes a parallel limitation, allowing hearing officers only to "order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days." (emphasis added). The challenged regulation reads the statutory provisions together, consistent with the IDEA's expedited 30-day hearing schedule. See Olu-Cole, 292 F.

> Supp. 3d at 419 n.2 (noting that Section 1415(k)(4) "contemplates a decision within 30 school days, well within the 45 days provided by [§ 1415(k)(1)(G)").
>
> [Id. at 531-32.]

The above is exactly why respondent's position is unpersuasive. The interim IEP meeting is nothing but a red herring. I have not been provided with either of the IEPs (December 2023 or November 2024) or with the justification for the proposed out of district placement (which, parenthetically is rather curious, since J.D.'s behavior was found not to be a manifestation of his disability). While neither is ultimately important to this decision on the emergent aspect of the case, it is important that petitioner challenged the placement by filing a due process appeal.

Normally in disciplinary cases, the fact that the respondent never filed for an expedited due process hearing pursuant to N.J.A.C. 6A:14-2.7(n) would be important. However, in this case, J.D. was already suspended for the forty-five-day maximum and NO MORE. This Code provision reads:

> To remove a student with a disability when district board of education personnel maintain that it is dangerous for the student to be in the current placement and the parent and district board of education cannot agree to an appropriate placement, the district board of education shall request an expedited hearing. **The administrative law judge may order a change in the placement of the student with a disability to an appropriate interim alternative placement for not more than 45 calendar days** according to 20 U.S.C. § 1415(k) and its implementing regulations at 34 CFR Part 300:
>
> > 1. The procedure in 20 U.S.C. §1415(k)(3) may be repeated as necessary.
>
> (Emphasis added.)

A review of the referenced U.S. Code provision provides no relief to Bloomfield either:

> . . .
>
> (3) Appeal

(A) In general

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination under this subsection, or a local educational agency that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request a hearing.

(B) Authority of hearing officer

(i) In general

A hearing officer shall hear, and make a determination regarding, an appeal requested under subparagraph (A).

(ii) Change of placement order

In making the determination under clause (i), the hearing officer may order a change in placement of a child with a disability. In such situations, the hearing officer may—

(I) return a child with a disability to the placement from which the child was removed; or

(II) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

(4) Placement during appeals

When an appeal under paragraph (3) has been requested by either the parent or the local educational agency—

(A) the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in paragraph (1)(C), whichever occurs first, unless the parent and the State or local educational agency agree otherwise; and

> (B) the State or local educational agency shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing.

20 U.S.C. 1415(k)(3)(4).

As noted, no appeal was filed per §3 and the forty-five-day IAES placement has already expired. In other words, Bloomfield failed to take advantage of the limited options afforded to it to address disciplinary issues for students with a disability (whether the improper act was a manifestation of that disability or not). Bloomfield cannot just say, "we don't want him back," which is effectively what it is doing here.

That is not to say that I am unsympathetic to the district's concerns. Bloomfield is well aware of its obligation to both educate and ensure the safety of its approximately 2,000 high school students. That concern was clearly on display during oral argument and I am fully appreciative of it. That concern is not unfounded when it involves what was obviously a serious incident, even if the parties (correctly) agree that the specific details of same are irrelevant to the very limited question before me.

That being said, I am unpersuaded by the unreported federal case cited by respondent, which, while correctly decided (at least as to the determination of "stay-put"), is clearly factually distinguishable. The facts in Ocean Twp. are that on October 31, 2013, O.R. was found to be in possession of both a knife and alcohol at the high school. He was (apparently immediately) placed on home instruction (his IAES) for forty-five days pending further disciplinary action. An MDR determined that the student's misdeeds were not a manifestation of his disability and following a November 19, 2023, the BOE formally suspended him for the remainder of the school year. Id. at *1-*2 (emphasis added.)

O.R. then filed an action for expedited due process and the ALJ returned him to his normal classroom setting. Ocean Twp. then filed an Order to Show Cause in Federal court to overturn the ALJ's Order. Id. at *3.

The court's analysis first focused on the definition of "stay put" as noted in 20 U.S.C. §1415(i) and examined in Drinker as being the "then-current educational placement of the child." It was acknowledged that there are circumstances where a student with a disability can be suspended for more than the forty-five-day limit.

In Ocean Twp., where the confusion comes in is the statement (which in a vacuum does not seem to make sense, but in context, does) "if the child's action was caused by his disability, IDEA and the stay put provision do not apply to disciplinary action." Id. at *6-*7, cit. Board of Community High School District No. 218 v. Illinois State Board of Education, 103 F. 3d 545, 548 (7th Cir. 1996).

The court concluded:

> Here, O.R.'s actions of carrying a knife seemingly allowed the school to remove him for a period of 45 days. See, 34 C.F.R. § 300.530. After this removal, the school held a disciplinary hearing, at which point O.R. was given the one-year suspension at issue. Therefore, it appears that his then current setting would be the alternative setting. Second, the school held a manifestation hearing during which they found that the actions did not stem from O.R.'s disability . . . . Accordingly, the Court finds that Plaintiff has a substantial likelihood of showing that the stay put provision should not allow O.R. back into school during the pendency of the proceedings.
>
> Id. at *7-*8.

The court then proceeded to analyze the balance of the "emergent" factors and determined that the student should remain on home instruction and not be returned to the classroom.

Two important differences from the case at bar:

1. the student challenged the extent of his discipline; and

2. at the time of the Ocean Twp. litigation, the student was still suspended from school.

Upon initial review, the Ocean Twp. decision is difficult to fully digest. However, upon close examination, it is a logical analysis of the law and is not inconsistent with the J.M. case and its conclusions. In essence, the court held that once the MDR determined the student's misdeeds were not a manifestation of his disability and,

a. the initial forty-five days had expired; and

b. the disciplinary hearing was held which resulted in a longer period of exclusion.

then the IAES transformed into his "stay put" educational placement. Id. at *7-*8. Potentially, this scenario could have played out in this case as well, except for the fact that J.D.'s suspension was limited to forty-five days. With this very inconvenient fact facing the respondent, the law is clear that there is no alternative but to place J.D. back into his normal educational placement at the high school (as agreed upon in the December 1, 2023 IEP).

What Bloomfield is attempting to do here is also what Ewing attempted to do in J.M. By effectively extending the student's suspension beyond the forty-days and then unilaterally changing his placement, Bloomfield clearly violated both the IDEA and New Jersey Administrative Code. I **CONCLUDE** that Bloomfield simply did not have the authority to extend J.D.'s discipline past the forty-five-day suspension period which the parties agree ended on November 19, 2024.

In conjunction with the above, I **FIND** that J.D.'s educational stay put per N.J.A.C. 6A:2.7(u) is in-person instruction at Bloomfield High School as delineated in his December 1, 2023 IEP. Consistent with that finding, I also **CONCLUDE** that J.D.'s unilateral placement (or continuation) in the IAES (home instruction) disciplinary setting is an impermissible violation of the stay-put provision.

I further **FIND** that as a result of the stay-put determination and their filing of the November 15, 2024 due process petition, that petitioner need not satisfy the requirements enumerated in N.J.A.C. 6A:14-2.7(s), Crowe v. DeGioia, 90 N.J. 126 (1982) and N.J.A.C. 6A:3-1.6(b).

I, therefore, **CONCLUDE** that J.M.'s current placement on home instruction, which flows from Bloomfield's improper extension of J.M.'s discipline, must be terminated and that J.D. must be returned to in-person instruction at Bloomfield High School consistent with the terms of the December 1, 2023 IEP pending the outcome of the due process hearing.

In conclusion, I reiterate that I am fully cognizant and appreciative of respondent's concerns regarding the safety of its students and staff. The dispute here, however, is a very limited one, based on necessarily limited facts, in a very highly regulated area of the law where the protection of students with disabilities has been made a priority. Drinker at 864. See also, Honig v. Doe, 484 U.S. 305 (1988); School Comm. v. Dep't of Educ., 471 U.S. 359 (1985).

ORDER

For the above reasons, it is hereby **ORDERED** that the request of petitioner C.B. on behalf of minor child J.D. for emergent relief is **GRANTED** and I further **ORDER** respondent, Bloomfield Board of Education immediately permit J.D. to return the educational program and placement as delineated in his December 1, 2023 IEP.

This decision on application for emergency relief resolves all the issues in the due process complaint. No further proceedings are necessary, and this case is now closed. If the parent or adult student believes that this decision is not being fully implemented, then the parent or adult student is directed to communicate that belief in writing to the Director of the Office of Special Education. This decision is final under 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 and is appealable by bringing a civil action in the Law Division of the Superior Court of New Jersey or in the United States District Court for the District of New Jersey under U.S.C. § 1415(i)(2) and 34 C.F.R. § 300.516.

December 9, 2024
DATE

MATTHEW G. MILLER, ALJ

Date Received at Agency:

Date Mailed to Parties:

Mgm/jb