



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

**ORDER DENYING**

**EMERGENCY RELIEF**

OAL DKT. NO. EDS 02919-25

AGENCY DKT. NO. 2025-38634

**V.H. ON BEHALF OF C.D.,**

Petitioner,

v.

**NORTH HUNTERDON-VOORHEES**

**REGIONAL HIGH SCHOOL DISTRICT BOARD**

**OF EDUCATION,**

Respondent.

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V.H., pro se

**Andrew W. Li, Esq.**, for respondent (Comegno Law Group, P.C., attorneys)

Record Closed: February 19, 2025

Decided: February 19, 2025

BEFORE **KIMBERLEY M. WILSON**, ALJ:

**STATEMENT OF THE CASE**

V.H., on behalf of her son, C.D., seeks on an emergent basis to reinstate C.D. to the animal science program at Voorhees High School, a school within the North Hunterdon-Voorhees Regional High School District Board of Education (respondent).

Respondent argues that the animal science program is not one of its programs and accordingly, it did not cause C.D. to be dismissed from the program.

### **PROCEDURAL HISTORY**

On or around February 5, 2025, V.H. filed a request for emergent relief with the New Jersey Department of Education, Office of Special Education. The matter was transmitted to the Office of Administrative Law (OAL), where it was filed as a contested case on February 11, 2025. N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -23.

A hearing on the request for emergent relief was held on February 18, 2025. The record remained open to allow V.H. to submit supplemental documentation, and the record closed on February 19, 2025.

### **FACTUAL DISCUSSION AND FINDINGS**

The following **FACTS** are not in dispute, and so I **FIND**:

1. C.D. was a student in the animal science program provided by the Hunterdon County Polytech Career & Technical School, which is a school within the Hunterdon County Vocational School District (vocational school district).
2. Respondent entered into an agreement to allow the vocational school district to use Voorhees High School as one of the physical locations where the vocational school district offers the animal science program.
3. Respondent is a separate school district from the vocational school district.
4. On or around February 4, 2025, Dr. Todd Bonsall, superintendent of the vocational school district, sent a letter to V.H., advising her that pursuant to District Policy 5115, a student in the vocational school district could be returned to his or her sending district for a variety of reasons, including

unacceptable conduct regarding attendance, discipline, or academics. In the letter, Dr. Bonsall identified a series of classroom events regarding C.D. and advised that C.D. was being returned to the high school in his sending district.

5. C.D.'s sending district is not respondent or the vocational school district.

### **LEGAL ANALYSIS AND CONCLUSIONS OF LAW**

Under the New Jersey Administrative Procedure Act, contested cases are proceedings "in which the legal rights, duties, obligations. . . or other legal relations of specific parties are required by constitutional right or by statute to be determined." N.J.S.A. 52:14B-2. Here, V.H. is seeking to have C.D. reinstated as a student at Voorhees High School; however, the vocational school district dismissed C.D. from the animal science program, not respondent.

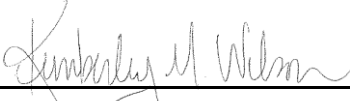
When the vocational school district is not a party to this contested matter, I cannot grant V.H. the relief that she seeks. Simply, an indispensable party, one necessary for the resolution of this matter, has not been included as one of the respondents. For this reason, V.H.'s request for emergent relief is **DENIED**, and her petition for emergent relief is **DISMISSED**. V.H. may refile her motion for emergent relief at any time.

**ORDER**

I hereby **ORDER** that V.H.'s request for emergent relief is **DENIED**, and her petition for emergent relief is **DISMISSED**.

This order on application for emergency relief remains in effect until a final decision is issued on the merits of the case. If the parent or adult student believes that this order 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. Since the parent requested the due process hearing, this case is returned to the Department of Education for a local resolution session under 20 U.S.C. § 1415(f)(1)(B)(i).

February 19, 2025  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
**KIMBERLEY M. WILSON, ALJ**

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

Date Mailed to Parties: \_\_\_\_\_

KMW/am