



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION
(CONSOLIDATED)

**CHERRY HILL TOWNSHIP
BOARD OF EDUCATION,**

Petitioner,

v.

**R.F. AND B.F. ON BEHALF
OF N.F.,**

Respondents.

And

**R.F. AND B.F. ON BEHALF
OF N.F.,**

Petitioners,

v.

**CHERRY HILL TOWNSHIP
BOARD OF EDUCATION,**

Respondent.

OAL DKT. NO. EDS 04431-26

AGENCY DKT. NO. 2026-40643

OAL DKT. NO. EDS 04735-26

AGENCY DKT. NO. 2026-40659

B.F. and R.F., respondents-petitioners, pro se

Eric. L. Harrison, Esq., for petitioner-respondent Cherry Hill Township Board of
Education (Methfessel & Werbel, attorneys)

Record Closed: July 13, 2026,

Decided: August 25, 2026

BEFORE **ADVIA KNIGHT FOSTER**, ALJ:

STATEMENT OF THE CASE

Petitioner, Cherry Hill Township Board of Education (District), conducted a speech and language reevaluation of N.F. that was complete and appropriate and declassified N.F. because his disability has no adverse impact on his educational performance. Are respondents, B.F. and R.F., entitled to an independent educational evaluation (IEE) at public expense, and is N.F. eligible for a continuation of special services? No. A parent is not entitled to IEEs at public expense if the evaluations conducted by the school district were complete and appropriate, and N.F. is not eligible for a continuation of special services where his disability does not adversely impact his educational performance. N.J.A.C. 6A:14-2.5(c)(1). N.J.A.C. 6A:14-3.5(c)(1)

PROCEDURAL HISTORY

On November 26, 2025, the parents filed a Request for Mediation under agency number 2026-40659. On January 20, 2026, the parties participated in a mediation that did not settle.

By letter dated February 26, 2026, which was received by the District on March 5, 2026, respondents requested an independent educational evaluation (IEE) of N.F. in social communication and pragmatic speech and language.

On March 18, 2026, petitioner, Cherry Hill Township Board of Education (District), filed a request for a due process petition to deny the parents' request for an independent evaluation under agency number 2026-20643.

On March 18, 2026, the Office of Special Education transmitted the case under agency number 2026-40643 to the Office of Administrative Law (OAL) under the

Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the act establishing the OAL, N.J.S.A. 52:14F-1 to -23, for a hearing under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6, and the Special Education Program, N.J.A.C. 1:6A-1.1 to -18.4. The case was docketed under EDS 04431-26.

On March 19, 2026, the parents requested that the mediation request agency number 2026-40659 be converted to a due process petition. On April 2, 2026, the District filed an answer.

On March 31, 2026, the respondents/parents filed an answer under OAL Dkt. No. EDS 04431-26.

On April 2, 2026, the District filed an answer under agency number 2026-40659.

On April 18, 2026, at the conclusion of the resolution period, OSE transmitted the case under agency number 2026-40659 to the Office of Administrative Law (OAL) under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the act establishing the OAL, N.J.S.A. 52:14F-1 to -23, for a hearing under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6, and the Special Education Program, N.J.A.C. 1:6A-1.1 to -18.4. OSE transmitted the case to the Office of Administrative Law (OAL) for hearing under the applicable statutes and regulations. The case was docketed under EDS 04735-26.

On April 28, 2026, I consolidated EDS 04431-26 and EDS 04735-26 upon application by the District. On June 29, 2026, I held the hearing and kept the record open to allow for post-hearing briefs. On July 13, 2026, I closed the record.

DISCUSSION AND FINDINGS OF FACT

Based on the testimony the parties provided and my assessment of their credibility, together with the documents the parties submitted and my assessment of their sufficiency, I **FIND** the following as **FACT**:

N.F. is a sixteen-year-old student at Cherry Hill High School East who has been diagnosed with autism and ADHD, among other things.

On June 2, 2025, N.F. was classified as “Eligible for Speech-Language Services” as reflected in his most recent individualized educational plan (IEP). (District’s Exh. 7.)

N.F.’s Progress Report for IEP Goals and Objectives for 2024–25 showed that, as of June 2025, he was progressing satisfactorily in demonstrating appropriate social communication skills to better understand unstructured social situations with peers and adults. (District’s Exh. 7.)

As of June 2025, N.F. was making gradual progress initiating conversation with a peer and adult. (Ibid.)

As of June 2025, during a structured conversation, N.F. made satisfactory progress when making and asking at least two comments or reciprocating questions to continue a conversation. (Ibid.)

As of June 2025, when presented with a social or academic dilemma, N.F. showed satisfactory progress when seeking assistance from the appropriate communication partner (peer, teacher, or staff member) (Ibid.)

On September 30, 2025, Erin Kessler, the District’s speech and language therapist and member of the child study team, performed N.F.’s speech and language evaluation, and it was determined that he was no longer eligible for speech and language services.

A full child study team evaluation was discussed; however, due to N.F.’s current classes and the fact that he was doing well academically, a child study team evaluation was not performed. (District Exh. 6.)

On November 12, 2025, the District determined that N.F. was no longer eligible for speech and language services.

On December 19, 2025, the District notified the parents that it determined that N.F. was no longer eligible for speech and language services. (District's Exh. 6.)

Speech and Language Evaluation

On September 30, 2025, Erin Kessler, M.S., CCC-SLP conducted a speech and language evaluation. N.F. was administered the Clinical Evaluation of Language Fundamentals, 5th Edition. (CELF-5). N.F. received a core language score, the most representative of a student's overall language abilities, of ninety-seven with a percentile rank of forty-two. This score from the CELF-5 is in the average range when compared to other males of his chronological age. N.F. was also administered the Test of Pragmatic Language-2 (TOPL-2). This test is a comprehensive measure of pragmatic language ability. The TOPL-2 is an assessment of the examinee's use of physical context, audience, topic, purpose, visual gestures, cues, abstractions, and pragmatic evaluation. N.F. received a standard score of eighty-six with a percentile ranking of eighteen. This score places N.F. in the low average range when compared to other males his chronological age. Finally, the Pragmatics Profile rating scale was completed. A pragmatic communication disorder affects a student's ability to understand social cues and to engage in social reciprocity with other individuals. The areas tested were rituals and conversational skills; asking for, giving, and responding to information; and nonverbal communication skills. N.F. received a standard score of fifty-five with a percentile rank of one. This score is in the very low range when compared to other males his chronological age. The areas where N.F. struggled the most were following conversational rules, understanding/expressing complex intentions, and reading/using body language. Kessler noted that N.F.'s teacher stated he initiated conversations, stayed on topic, used the appropriate tone, and respected others' space. He also spoke with familiar adults and students. The teacher did not feel his language skills impacted his educational performance or social interactions.

Testimony for Cherry Hill Township

Marc Wisely, supervisor of special education, has thirteen years' experience in special education. In his role, he oversees special education programs and services and

is familiar with the District's procedures for making independent education evaluations (IEEs), developing and implementing IEPs under the IDEA, and determining eligibility. His focus has been on middle school to high school students, and he was a high school special education teacher for nine years. For thirteen years, he supervised a speech and language therapist. Wisely was admitted as an expert in special education and related services, eligibility, and IEE determinations for disabled students. Wisely has personal knowledge of the reevaluation and declassification of N.F. Although N.F. is autistic, Wisely stated that diagnosis does not automatically qualify a student for special education and related services, and in N.F.'s case, his academic performance does not warrant full special education classification. Wisely explained that the child study team met and determined that an updated speech and language evaluation of N.F. was necessary, as it had been three years since the last evaluation.

On September 30, 2025, Erin Kessler, M.S., CCC-SLP, performed a speech and language evaluation on behalf of the District. Wisely acknowledged that N.F. has pragmatic speech limitations but that it does not adversely impact his educational performance. He based that on the speech and language evaluation, the determinations of the CST team, teachers' and educators' input, and N.F.'s class performance and grades. He stated the teacher's input is a critical component since he or she interacts with the child daily and is better equipped to observe how a student's disability affects his educational performance. N.F.'s teacher input shows that he can initiate conversations, stay on topic when speaking, hold a conversation for multiple turns, and establish friendships. (District's Exh. 10) Wisely acknowledged that the score for pragmatic speech on the evaluation was low but stated that his scores and strengths in other areas allow him to excel in the educational setting. Further, Wisely noted that it was only one consideration in the District's determination to declassify N.F. Wisely stated that N.F. scored all A's in his final grades, including honors and AP courses. He acknowledged N.F.'s struggles during the year trying to make up schoolwork he missed due to an extended period of absence due to respiratory illness but attributed the struggles directly to the number of days out of school due to the illness. Further, based on his personal knowledge of N.F. and his thirteen years of experience working with students who have missed school for extended periods due to illness, Wisely stated that typically the student struggles but that the grades will increase and go back to where the student could

perform. When asked on cross why N.F. was declassified because he has always earned high grades and his grades were similar in 2021, but N.F. was eligible for speech and language services, Wisely stated that there is a significant growth in development from middle school to high school and that N.F. has made significant strides in his communication skills. Wisely stated that the determination that N.F. is no longer eligible for speech and language services is not etched in stone and that if N.F.'s educational performance merited further evaluation in the future, the child study team would meet for a re-evaluation. Regarding the IEE, Wisely stated that it is not needed since the District's evaluation was appropriate.

Testimony for parents

R.F., N.F.'s father, testified that N.F.'s pragmatic profile percentile rank of one reflected his need for speech and language services. He also stated that N.F.'s standardized testing shows independent evidence that his language disability affects his performance. (Parents' Exh. 26.) The parents offered no expert testimony to support their positions.

B.F., N.F.'s mother, is a licensed clinical psychologist with a specialty in special needs and a school counselor for kindergarten through twelfth grade. B.F. relied on a report from Dr. Koser, a psychologist who sees N.F. She explained that N.F. discusses his schoolwork with the doctor and uses texts and email correspondence to decipher the teachers' meaning. (Parents' Exh. 2.) She noted that N.F. has profound challenges, and when he had to obtain the missing assignments from teachers, he experienced anxiety and an inability to advocate for himself. She stated he interprets directions literally. In one of the emails N.F. sent to his teacher, he explained to the teacher that he could not do the debate assignment because he did not know what to say. (Parents' Exh. 15.) In another email, N.F. explained that he was having difficulty with the role-play assignment and that he has social weaknesses. (Parents' Exh. 16.) N.F. also had difficulty with social interaction. (Parents' Exh. 17.) She also explained that one of the teachers required the students to do a presentation before the class, but N.F. could not, so the teacher met with him independently. She explained that she and her husband put in a lot of effort assisting N.F. in obtaining his missing assignments. They met with teachers to address N.F.'s

missing assignments and to discuss strategies to help him catch up. (Parents' Exh. 18.) They also met with the principal to address a reentry plan after N.F.'s absence. (Parents' Exh. 19.) N.F. experienced anxiety and bouts of vomiting before school; she relates to his desire to catch up and struggles with self-advocacy and communication. (Parents' Exh. 20.) B.F. further stated that his exams began to pile up. (Parents' Exh. 21.) She said he went beyond the school year to make up evaluations. Further, B.F. testified that on May 15, 2026, N.F. still had makeup work to do from February 19, 2026. (Parents' Exh. 22.)

During the time N.F. was out for medical issues and had to make up work, his progress report for the second marking period showed he was failing Algebra 2 and had a D in AP US History. (Parents' Exh. 11.) In the progress report for the third marking period, N.F. was failing Chemistry and Algebra 2. (Parents' Exh. 12.) According to the progress report for the fourth marking period, N.F.'s grade in AP US History was a B, his grade in Chemistry was a D, and he was failing Algebra 2. (Parents' Exh. 13). B.F. remarked that it took heroic effort on their part, the school administration, and N.F. to receive A's for his final grades.

She stated that when N.F. receives support and accommodations from teachers and staff, he achieves academic success. The District has not proposed to remove any of the general education accommodations. The 2025–26 IEP that the parents wish to continue has no provision for classroom supports, as it is only a speech-and-language IEP. B.F. stated that Dr. Huang, N.F.'s doctor, recommended a continuation of his speech and language services. (Parents' Exh. 1.)

B.F. contended that she does not believe the District's recent speech and language evaluation was comprehensive and argued that N.F.'s initial speech and language evaluation dated March 16, 2021, was more comprehensive because the speech therapist did an observation of N.F. entering a group project where students were to act out their chosen character roles. (Parents' Exh. 25.) B.F. also stated that N.F. was placed in classes where he knew the children, which may have exaggerated his social communication skills. She felt the District relied only on N.F.'s final grades.

B.F. stated that N.F. has other medical conditions, including anhidrotic ectodermal dysplasia, the inability to sweat, and that he faints if he experiences pain. N.F. is unable to communicate when he is feeling ill, so the school nurse will come to him. She testified that without speech and language services, N.F.'s pragmatic speech disability prevents him from communicating during a medical emergency and poses a safety risk. She also testified that N.F. did not audition for a musical and could not do theater crew.

Credibility Findings

It is the duty of the trier of fact to weigh each witness's credibility and make a factual finding. Credibility is the value a fact finder assigns to the testimony of a witness, and it incorporates the overall assessment of the witness's story, considering its rationality, consistency, and how it comports with the other evidence. Carbo v. United States, 314 F.2d 718, 749 (9th Cir. 1963); see In re Polk, 90 N.J. 550 (1982). Credibility conclusions "are often influenced by matters such as observations of the character and demeanor of the witnesses and common human experience that are not transmitted by the record."

Marc Wisely spoke in a straightforward manner, exhibited great experience in his field, and offered unbiased, knowledgeable testimony. He also exhibited great knowledge in IEE and eligibility determinations and showed a desire to provide the appropriate program that suits the needs of the child.

Both B.F. and R.F. were sincere in their concern for their child but provided no credible testimony that the District's decision to declassify was inappropriate or resulted in a denial of FAPE. There was no testimony, expert or otherwise, to discredit the credible testimony supported by documentary evidence presented by the District. Further, there was no evidence to support a claim for an independent evaluation.

Given my discussion of facts, I **FIND** the following as fact:

N.F. is a sixteen-year-old student at Cherry Hill High School East who has been diagnosed with autism and ADHD, among other things.

On September 30, 2025, N.F. was reevaluated for speech and language services.

The District established that it not only relied on N.F.'s final grades but also based its decision to declassify N.F. on the speech and language evaluation, the educators' and teachers' input, N.F.'s classroom interactions and performance, and his academic performance.

N.F. was making meaningful progress and achieved straight A's in his final grades.

N.F. initiates conversations, stays on topic, uses appropriate voice tone and volume, and speaks to familiar adults and students.

N.F. has a pragmatic speech disability, but it does not adversely affect N.F.'s educational performance.

B.F. asserts that the District's evaluation was not comprehensive since it did not contain a class observation like the 2021 evaluation. However, the therapist in the 2021 speech and language evaluation observed a virtual classroom, and she could not see N.F. because he was in another room and had his camera off. When the other students asked N.F. questions, she could not determine whether his lack of response was related to his ADHD or if he was having difficulty communicating or self-advocating. (Parents' Exh. 25). I therefore **FIND** that the speech and language evaluation was comprehensive, complete, and appropriate, and there was no need to conduct an IEE.

CONCLUSIONS OF LAW

The IDEA obliges states in receipt of federal funding under the statute to guarantee a free and appropriate education (FAPE) to all children with disabilities. 20 U.S.C. § 1412 (a)(1)(A). The IDEA requires states to develop an individualized education plan (IEP) for every disabled child. 20 U.S.C. § 1412 (a)(4). "An IEP consists of a specific statement of a student's present abilities, goals for improvement of the student's abilities, services designed to meet those goals, and a timetable for reaching the goals by way of the services." D.S. v. Bayonne Bd. of Educ., F.3d 553, 557 (3d Cir. 2010) (citations omitted.)

A disabled child is entitled to “such services as are necessary to permit the child ‘to benefit’ from the instruction.” Bd. of Educ. V. Rowley, 458 U.S. 176, 188–189, 102 S. Ct. 3034, 73 L.Ed. 2d 690 (1982). The IEP must provide a “basic floor of opportunity,’ but not necessarily ‘the optimal level of services.’” Holmes v. Millcreek Twp. Sch. Dist., 205 F.3d 583, 589-90 (3d Cir. 2000) (quoting Carlisle Area Sch. v. Scott P., 62 F.3d 520, 533–34 (3d Cir. 1995)) The IEP “must be reasonably calculated to enable a child to make progress appropriate in light of his circumstances.” Endrew F. v. Douglas Cnty Sch. Dist., 137 S.Ct. 988, 999, 1002 (2017).

The IDEA also requires that a disabled child be educated in the “least restrictive environment.” 20 U.S.C. § 1412 (a)(5)(A). The least restrictive environment has been defined as “. . . one that, to the greatest extent possible, satisfactorily educates disabled children together with children who are not disabled, in the same school the disabled child would attend if the child were not disabled.” Carlisle Area Sch., 62 F.3d at 535.

A student is eligible for speech and language services when he has a language disorder that meets the criteria at N.J.A.C. 6A:14-3.5(4), and the student requires speech-language services only. N.J.A.C. 6A:14-3.6(a)(2).

N.J.A.C. 6A:14-3.5 sets forth a three-prong test to determine eligibility for special education and related services:

a student is eligible and classified eligible for special education and related services under this chapter when it is determined that the student has one or more of the disabilities defined in (c)1 through 14 below; the disability adversely affects the student’s educational performance and the student is in need of special education and related services. Classification shall be based on all assessments conducted including assessment by child study team members and assessment by other specialists as specified.

[N.J.A.C. 6A:14-3.5 (c).]

Communication impairment means a language disorder in morphology, syntax, semantics, and/or pragmatics/discourse that adversely affects a student's educational performance and is not due primarily to an auditory impairment. N.J.A.C. 6A:14-3.5 (4).

Under N.J.A.C. 6A:14-2.5(c):

Upon completion of an initial evaluation or reevaluation, a parent may request an independent evaluation if there is disagreement with the initial evaluation or a reevaluation provided by a district board of education. A parent shall be entitled to only one independent evaluation at public expense each time the district board of education conducts an initial evaluation or reevaluation with which the parent disagrees. The request for an independent evaluation shall specify the assessment(s) the parent is seeking as part of the independent evaluation request.

The school district shall pay for the IEE "unless the school district initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing." N.J.A.C. 6A:14-2.5 (c) and (c)(1). Not later than twenty calendar days after receipt of the parental request for the independent evaluation, the school district shall request a due process hearing. N.J.A.C. 6A:14-2.5(c)(1)(i) and (ii). The ALJ may order the IEE for good cause after allowing the parties to be heard. N.J.A.C. 1:6A-14.2(a). To determine whether there is good cause, the district must show that its evaluation was appropriate. To determine whether there is good cause, the district must show that its evaluation was appropriate. 34 CFR 300.502(b)(2)(i).

The District did not dispute that N.F. exhibits pragmatic speech limitations and has a communication impairment as defined at N.J.A.C. 6A:14-3.5(4). Rather, the District argues that N.F.'s disability does not adversely affect his educational performance, and therefore N.F. no longer requires special education and related services.

The District offered competent evidence and testimony that N.F.'s disabilities did not affect his educational performance, that he was making progress in his District-provided educational programming akin to his peers, and that he was excelling academically, having achieved straight A's in Honors and AP courses. (District Exh. 13).

Further, N.F. was either progressing satisfactorily or making gradual progress in his Speech and Language IEP goals. Based on the speech and language evaluation, the CST team, the educators' and teachers' input, N.F.'s classroom interactions and performance, and his academic performance, N.F. no longer required speech and language services.

Although N.F. struggled academically for part of the school year, it was due to the absences caused by his respiratory illness and having to make up work that he missed. Despite the time he missed from school, N.F. rallied with the help of his parents, school staff, and educators and finished with all A's in all his courses. Further, as evidenced by the speech and language evaluation, N.F. had meaningful, appropriate educational progress for a student his age and had appropriate interactions with adults and students in the classroom.

The parents presented no expert witnesses to refute the District's determination to declassify N.F. and instead relied upon the reports of Dr. Huang and Dr. Koser. These reports are hearsay, and, without a residuum of legal and competent evidence in the record to support them, they must be disregarded. N.J.A.C. 1:1-15.5 (b).

The most noteworthy concern raised by the parents was the score on the CELF-5 pragmatic profile, where N.F. scored a fifty-five with a one percent ranking. However, the District was clear that while the score would indicate a communication disability, one needed to consider all factors, including a student's daily functioning, educators' input, grades, and whether the student's actual educational performance was negatively impacted. Despite the low score in pragmatic speech, the speech therapist noted that N.F. was doing well overall in his classes. (District's Exh. 10) Contrary to the parents' contention, the District did not rely solely on N.F.'s final grades when it determined that N.F. was no longer eligible for special education and related services. Considering the other scores proffered in the speech and language evaluation were in the low average to average range, the educators' input, the CST team, N.F.'s grades, and the teacher's input that N.F. was functioning well in the classroom and educationally, the District met its burden of showing N.F. no longer met eligibility criteria for speech and language services.

Further, it was made clear that if in the future N.F.'s educational performance merited further evaluation, he would be referred to the child study team for re-evaluation.

Regarding B.F.'s assertion that the speech and language evaluation did not address the impact that N.F.'s communication deficit has on his extracurricular activities, the statute only provides for an adverse impact on the student's educational performance, not extracurricular activities. N.J.A.C. 6A:14-3.5(c). Regarding the evaluation, the parents also argue that the low score on the Pragmatic profile shows the need for speech and language services. The evaluation was only one consideration, however. The District also considered N.F.'s social interactions, performance in the classroom, input from educators and teachers, and his grades. The parents allege that during the school year, N.F. spent hours composing emails to teachers to request missing assignments due to his medical absence and that he struggled to understand teachers' directives about missing assignments and, in one instance, a directive that he did not have to complete an assignment. Wisely explained that based on his thirteen years of experience, many students who miss a significant time from school like N.F. get overwhelmed and anxious trying to obtain and complete the missing work but that their grades often increase and level out. Wisely testified that those alleged struggles did not have an educational impact and would not change his opinion regarding eligibility for speech and language services. Further, the parents conceded that teachers, school administrators, and the guidance counselor accommodated N.F. to help him make up the missed assignments. Such general education accommodations are not in the 2025 IEP the parents wish to continue, and nothing in the record demonstrates that the District will discontinue any general education accommodation it employed in the past. N.F. scored in the average range in the core language component section, the most representative sample of a student's overall language abilities. After the speech and language evaluation, the CST team met and determined that N.F. was no longer eligible for speech and language services. The District acknowledges that N.F. has a disability but that it does not adversely affect his educational performance as demonstrated in the social classroom interactions and his academic success. N.F. demonstrated meaningful progress and successfully completed his final marking period with all A's despite missing a significant amount of time from school due to an illness. Therefore, I **CONCLUDE** that the District met its burden by

showing that N.F. is no longer eligible for speech and language services since his condition does not adversely impact his educational performance.

Parents seek an IEE for speech and language. The District filed a timely due process petition and satisfied its burden of showing that an independent evaluation is unnecessary because its reevaluation was appropriate. The parents offered no expert testimony or evidence other than their belief to refute the District's determination or to support their request for an IEE. The parents gallantly represented their son and eloquently advocated for him. However, "courts must accord significant deference to the choices made by school officials as to what constitutes an appropriate program for each student." Blunt v. Lower Merion Sch. Dist., 767 F.3d 247, 269 (3d Cir. 2014). Therefore, I **CONCLUDE** that the District met its burden that its evaluation was complete and appropriate and that an IEE is not warranted.

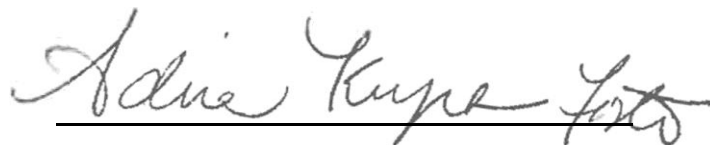
ORDER

I **ORDER** that the District's due process petition to deny the parents' request for an independent evaluation is **GRANTED**, and I **FURTHER ORDER** that the parents' due process petition opposing declassification is **DISMISSED**.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2026) 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 (2026). 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.

August 25, 2026

DATE

A handwritten signature in cursive script, appearing to read "Advia Knight Foster", written over a horizontal line.

ADVIA KNIGHT FOSTER, ALJ

Date Received at Agency:

Date Mailed to Parties:

AKF/tc

APPENDIX

Witnesses

For District:

Marc Wisely

For parents:

B.F.

R.F.

Exhibits

For petitioner:

- P-1 Not in evidence
- P-2 Not in evidence
- P-3 CHOP Genetics, necessity letter, 3/31/2021
- P-4 Dr. Haas, pediatrician, modification letter, 4/10/2026
- P-5 Dr. Haas, pediatrician, absence letter, 3/4/2026
- P-6 Hospital letter, 2/12/2026
- P-7 Hospital special needs support letter, 2/17/2026
- P-8 Immunology note, 3/26/2026
- P-9 Pneumonia hospital stay, 6/7/2024
- P-10 Audiology, hearing impairment, 2/7/2024
- P-11 Progress Report Marking Period 2, 2025–2026 Academic Year
- P-12 Progress Report Marking Period 3, 2025–2026 Academic Year
- P-13 Progress Report Marking Period 4, 2025–2026 Academic Year
- P-14 Nathan Email
- P-15 Nathan Email
- P-16 Nathan Email
- P-17 Nathan Email
- P-18 School email 1

- P-19 School email 2
- P-20 School email 3
- P-21 School email 4
- P-22 School email 5
- P-23 CV – Dr. Betsy Feinberg
- P-24 CV – Dr. Richard Feinberg
- P-25 Initial speech evaluation, 2021
- P-26 NJ English Language Arts Assessment Report, 2024–2025

For respondent:

- R-1 Respondents' Request for Mediation, 11/26/2025, Document Number L-003595916, pp. 6–8
- R-2 Board's Answer, 4/2/2026, Document Number L-003595916, pp. 9–12
- R-3 Board's Due Process Petition, 3/18/2026, Document Number L-003595916, pp. 28–32
- R-4 Answer to Board's Due Process Petition, 3/27/2026, Document Number L-003595916, pp. 44–51
- R-5 Prehearing Order, 4/28/2026, Document Number L-003595916, pp. 56–62
- R-6 Reevaluation Eligibility Determination – Declassified, 12/19/2025, Document Number L-003595916, pp. 42–43
- R-7 IEP, 6/2/2025, Document Number L-003595916, pp. 67–81
- R-8 Progress report, 6/20/2025, Document Number L-003595916, pp. 63–66
- R-9 Transcript, 2024–2025, Document Number L-003595916, p. 93
- R-10 Speech Language Assessment Report, 9/30/2025, Document Number L-003595916, pp. 83–87
- R-11 Request for independent evaluations, received 3/5/2026, Document Number L-003595916, p. 82
- R-12 Progress report, as of 4/2026, Document Number L-003595916, pp. 88–91
- R-13 Report card, through MP3, 2025–2026, Document Number L-003595916, p. 92
- R-14 CV – Erin Kessler, Document Number L-003595916, p. 96
- R-15 CV – Marc Wiseley, Document Number L-003595916, p. 97