



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

**ORDER DENYING**  
**EMERGENT RELIEF**

OAL DKT. NO. EDS 13581-26

AGENCY DKT. NO. 2027-41657

**G.Z.,**

Petitioner,

v.

**GLEN ROCK BORO**

**BOARD OF EDUCATION,**

Respondent.

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**G.Z.,** petitioner, pro se

**Robin S. Ballard, Esq.,** for respondent (Schenck, Price, Smith & King, LLP,  
attorneys)

Record Closed: August 27, 2026

Decided: August 27, 2026

BEFORE **PATRICE E. HOBBS, ALJ:**

**STATEMENT OF THE CASE**

Petitioner, G.Z. seeks an order to maintain his current placement in the twelfth grade and for a continuation of his individualized education program (IEP) with the Glen Rock Boro Board of Education (respondent). Must the petition for emergent relief be

dismissed for mootness? Yes, a petition must be dismissed as moot if there is no issue pending for which relief can be granted. Redd v. Bowman, 223 N.J. 87 (2015).

### **PROCEDURAL HISTORY**

On August 17, 2026, petitioner filed an emergent relief claim with the Office of Special Education (OSE), and, on that date, the case was transmitted to the Office of Administrative Law (OAL) under N.J.A.C. 1:6A-12.1. Oral argument was scheduled with the Honorable Kelly Kirk for August 27, 2026. On August 25, 2026, the case was reassigned to me.

On August 26, 2027, counsel for the respondents notified the petitioner that “stay-put” has been invoked eliminating the need for a hearing on the emergent relief claim. Petitioner declined to withdraw his petition. On August 27, 2026, I held oral argument and closed the record.

### **FINDINGS OF FACT**

G.Z. is an adult student who is enrolled as a twelfth-grade student at Glen Rock High School. G.Z. is eligible for special education and related services and has an individualized education program (IEP) dated April 30, 2026.

G.Z. alleges that his placement has been changed and he has been given a proposed graduation date because he turned 21 during the school year. G.Z. confirmed that he will not turn 21 until June 2027. G.Z. also alleges that his IEP has not been implemented for the 2026-2027 school year, that he has not been given a free, appropriate public education (FAPE) for the 2026-2027 school year, and that he is entitled to compensatory education.

Respondent argues that because of petitioner’s underlying due process petition, the stay-put provision has been invoked and that the District will continue the petitioner’s April 30, 2026 IEP rendering the petition for emergent relief moot. Respondent further

argues that the remaining issues in the petition are not causes of action that warrant emergent relief.

### **CONCLUSIONS OF LAW**

This case arises under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 to 1482. The IDEA ensures that students with disabilities are provided a “free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.” 20 U.S.C. § 1400(d)(1)(A). In New Jersey, the implementation regulations are codified in N.J.A.C. 6A:14 et seq.

Under N.J.A.C. 1:6A-12.1(e) and N.J.A.C. 6A:14-2.7(s)(1), emergency relief may be granted if the judge determines from the proofs that (i) the petitioner will suffer irreparable harm if the requested relief is not granted, (ii) the legal right underlying the petitioner’s claim is settled, (iii) the petitioner has a likelihood of prevailing on the merits of the underlying claim, and (iv) when the equities and interests of the parties are balanced, the petitioner will suffer greater harm than the respondent will suffer if the requested relief is not granted. See also Crowe v. DeGioia, 90 N.J. 126 (1982). The applicant bears the burden of satisfying all four prongs of this test by clear and convincing evidence. Crowe, 90 N.J. at 132–34.

During this emergency proceeding, a school district cannot make any changes to the student's program or placement. N.J.A.C. 6A:14-2.6(d)(10); N.J.A.C. 6A:14-2.7(u), see also, 20 U.S.C. § 1415(j). The “stay-put” provision is one of the most significant safeguards of the Act. 20 U.S.C. § 1415(j). The stay-put provision states that a child is to remain in their “then-current educational placement” during the due process proceedings. Id.; N.J.A.C. 6A:14-2.6(d)(10); N.J.A.C. 6A:14-2.7(u). The purpose of “stay-put” is to maintain the status quo for the child while the dispute over the placement or program remains unresolved. Ringwood Bd. of Educ. v. K.H.J., 469 F.Supp.2d 267, 270–71. (D.N.J. 2006.) Simply put, the “stay-put” provision ensures stability for the student’s placement until the due process proceeding is completed.

Emergent relief must only be granted if it involves a break in the delivery of services, disciplinary action, issues concerning placement during the pendency of a due process proceeding, and participation in graduation ceremonies. N.J.A.C. 6A:14-2.7(r)(1).

An action is moot when the decision sought “can have no practical effect on the existing controversy.” Redd v. Bowman, 223 N.J. 87, 104 (2015). For reasons of judicial economy and restraint, it is appropriate to refrain from decision-making when an issue presented is hypothetical, judgment cannot grant effective relief, or the parties do not have a concrete adversity of interest. Anderson v. Sills, 143 N.J. Super. 432, 437 (Ch. Div. 1976).

A review of the facts here leads to the conclusion that no issue remains as to which an order can grant effective relief. Petitioner’s action immediately invokes the stay-put provision of the IDEA. Petitioner’s first request is to maintain his enrollment as a twelfth-grade student, and for continuation of his current, applicable IEP dated April 30, 2026. The District must abide by the stay-put provision and stated that they have so complied. The current, mutually agreed upon IEP, remains in effect until a final order has been issued on the pending petition for due process. Therefore, I **CONCLUDE** that petitioner’s request to maintain his current enrollment is moot.

The remainder of petitioner’s emergent petition does not include a break in services, disciplinary action, placement, or participation in graduation ceremonies. I **CONCLUDE** that petitioner’s remaining requests for emergent relief must be denied because it does not involve any of the issues for which emergent relief can be granted. There is simply no available relief that can be granted to petitioner under this application and the issues raised are more appropriate addressed at the due process hearing.

### **ORDER**

I **ORDER** that the emergent relief request by petitioner for stay-put is moot and the remaining requests for emergent relief are **DENIED**. I **ORDER** that the 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 or adult student 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).

August 27, 2026

DATE



**PATRICE E. HOBBS, ALJ**

Date Received at Agency:

August 27, 2026

Date Mailed to Parties:  
cc

August 27, 2026

**APPENDIX**

Witnesses

For Petitioner:

G.Z.

For Respondent

None.

Exhibits

For Petitioner:

Petition for Emergent Relief

For Respondent:

None