

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

DECISION

OAL DKT. NO. EDS 12639-14

AGENCY DKT. NO. 2015 21768

**PEMBERTON TOWNSHIP BOARD OF
EDUCATION,**

Petitioner,

v.

L.L. on behalf of C.M.,

Respondent.

Tracey Schneider, Esq., for petitioner (Parker McCay, attorneys)

L.L. on behalf of C.M., respondent, pro se

Record Closed: November 7, 2014

Decided: November 12, 2014

BEFORE **LISA JAMES-BEAVERS**, ALJ:

STATEMENT OF THE CASE

Petitioner Board of Education of the Township of Pemberton seeks an order denying respondent's request for an independent evaluation of C.M. The matter was transmitted to the Office of Administrative Law (OAL) on September 30, 2014, and a hearing was scheduled for October 9, 2014. On that date, counsel for the Board appeared for the hearing, but respondent did not appear. Attempts to reach her by telephone were unsuccessful and the hearing was adjourned.

On October 10, 2014, I sent a letter to respondent advising her that she had ten days within which to file a written explanation of her nonappearance at the hearing. On

October 17, 2014, a letter was received from respondent explaining her nonappearance at the October 9, 2014, hearing. A telephone conference call was then scheduled for November 7, 2014, with counsel for the Board and respondent. During the conference call, the parties advised that mediation had not taken place because the Department of Education had an incorrect address for respondent, L.L. Both parties requested this matter be returned to the Department of Education, Office of Special Education Programs, for mediation.

DECISION AND ORDER

Therefore, it is **ORDERED** that this matter be returned to the Office of Special Education Programs for mediation.

This decision is final pursuant to 20 U.S.C.A. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2012) 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.A. § 1415(i)(2); 34 C.F.R. § 300.516 (2012). 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.

November 12, 2014
DATE

LISA JAMES-BEAVERS, ALJ

Date Received at Agency _____

Date Mailed to Parties: _____

mph