

T.M. AND M.M., on behalf of minor child,	:	
D.M.,	:	
	:	
PETITIONERS,	:	COMMISSIONER OF EDUCATION
V.	:	
	:	DECISION
BOARD OF EDUCATION OF THE	:	
TOWNSHIP OF ROCHELLE PARK,	:	
BERGEN COUNTY,	:	
	:	
RESPONDENT.	:	
_____	:	

SYNOPSIS

Petitioning parents sought rescission of the two-day suspension of their son, D.M., and a declaration that the Board’s rule prohibiting him from attending his eighth-grade class trip was not applicable. D.M. was involved in an assault on another pupil.

The ALJ found that in light of the testimony of witnesses, the Board acted reasonably in affirming the decision of the principal to suspend D.M. for two days. Petitioners failed to meet their burden of persuasion that the Board acted in an arbitrary and capricious manner.

The Commissioner adopted the Initial Decision. Petition was dismissed.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

June 12, 2002

OAL DKT. NO. EDU-3692-02  
AGENCY DKT. NO. 66-3/02

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D.M., :  
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V. : COMMISSIONER OF EDUCATION  
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\_\_\_\_\_ :

The record and Initial Decision in this matter have been reviewed.  
Exceptions were not filed by the parties.<sup>1</sup>

Based on his review of the record, the Commissioner adopts the Initial Decision, recommending dismissal of the Petition of Appeal, as the final decision in this matter for the reasons set forth therein and hereby dismisses the Petition of Appeal.<sup>2</sup>

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

Date of Decision: June 12, 2002

Date of Mailing: June 13, 2002

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<sup>1</sup> Because the relief sought by petitioners involves a class trip scheduled for June 13, 2002, this final decision is being issued prior to expiration of the time in which exceptions may be filed.

<sup>2</sup> This decision may be appealed to the State Board of Education pursuant to *N.J.S.A.* 18A:6-27 *et seq.* and *N.J.A.C.* 6A:4-1.1 *et seq.* within 30 days of filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.