

32-05
OAL DKT. NO. EDU 2631-04
AGENCY DKT. NO. 141-4/04

D.B., on behalf of minor child, A.B., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF MOORESTOWN, :
BURLINGTON COUNTY, :
RESPONDENT. :

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties did not file exceptions.

Upon a careful and independent review of the record in this matter, the Commissioner concurs that the Special Education Settlement attached to the Initial Decision, dated September 29, 2004, fully disposes of this matter as one within the jurisdiction of the Office of Special Education Programs.¹

Accordingly, the Initial Decision, which finds that this matter does not involve a contested case or controversy within the Commissioner's jurisdiction, is adopted for the reasons expressed therein. The petition in this matter is, therefore, dismissed, with prejudice.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: January 20, 2005

Date of Mailing: January 20, 2005

¹ The Commissioner notes that the Administrative Law Judge issued a separate decision on December 7, 2004 in the special education matter (Docket No. EDS 2630-04) which had been consolidated with this case at the OAL.

² This decision, as the Commissioner's final determination, 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.*