

#346-08

OAL DKT. NO. EDU 8551-07
AGENCY DKT. NO. 229-8/07

BOARD OF EDUCATION OF THE	:	
TOWNSHIP OF PISCATAWAY,	:	
MIDDLESEX COUNTY,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
NEW JERSEY DEPARTMENT OF EDUCATION,	:	DECISION
DIVISION OF FINANCE, AND BOARD OF	:	
EDUCATION OF THE BOROUGH OF SOUTH	:	
PLAINFIELD, MIDDLESEX COUNTY,	:	
	:	
RESPONDENTS.	:	
_____	:	

The record, Stipulation of Settlement (Agreement), and Initial Decision issued by the Office of Administrative Law (OAL), pursuant to *N.J.A.C. 1:1-19.1*, have been reviewed.

Upon review, the Commissioner observes that the Agreement contains no language dismissing the action against the New Jersey Department of Education (the Department). Nor does it contain the signature of the New Jersey Attorney General or designee, who is the Department's duly authorized representative in litigation. The Commissioner consequently cannot approve the within settlement.

Accordingly, the Commissioner hereby remands this matter to the OAL for revision of the Agreement to include language disposing of the claim against the Department, and to include the signature of the Attorney General or her designee. If the parties are unwilling or unable to effectuate the requested revisions, the matter shall proceed to hearing.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: August 18, 2008

Date of Mailing: August 19, 2008

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36*.