

LAURIE WARD, :
 PETITIONER :
 V. : COMMISSIONER OF EDUCATION
 NEW JERSEY DEPARTMENT OF : DECISION
 EDUCATION, STATE BOARD OF EXAMINERS, :
 RESPONDENT. :
 _____ :

SYNOPSIS

In 2014, petitioner appealed the determination of the respondent State Board of Examiners (SBE) that she had not met the requirements for issuance of a certificate of eligibility (CE) for the position of Teacher of Preschool through Grade Three. Petitioner had graduated from Baptist Bible College with a major in Bible; the SBE disqualified twelve liberal arts credits out of 125 credit hours which petitioner had completed at the college, leaving her short of the 60 liberal arts credits required under *N.J.A.C. 6A:9B-10.1(a)(3)* for the CE she sought. The matter was twice remanded to the OAL for factual findings and development of the record regarding which course credits the SBE counted and which were rejected, after the ALJ originally assigned to the case issued Initial Decisions reversing the SBE’s decision and granting summary decision in favor of petitioner without factual findings supporting such decision.

On second remand, the ALJ now assigned to the case issued an Initial Decision withdrawing petitioner’s appeal after receiving a letter from petitioner’s counsel advising that the case was being withdrawn. Accordingly, pursuant to *N.J.A.C. 1:1-19.2*, the matter was returned to the Department of Education for appropriate disposition.

Upon review, the Commissioner adopted the ALJ’s recommended decision for the reasons expressed therein. The petition was dismissed as withdrawn.

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.

April 13, 2018

LAURIE WARD,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
NEW JERSEY STATE BOARD OF EXAMINERS,	:	DECISION ON REMAND
	:	
RESPONDENT.	:	
_____	:	

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

Upon such review, the Commissioner adopts the Administrative Law Judge's recommended decision for the reasons expressed therein. Accordingly, the petition is hereby dismissed as withdrawn.

IT IS SO ORDERED.*

ACTING COMMISSIONER OF EDUCATION

Date of Decision: April 13, 2018

Date of Mailing: April 13, 2018

*This decision may be appealed to the Superior Court, Appellate Division, pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1).



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

WITHDRAWAL

OAL DKT. NO. EDU 02378-16

AGENCY DKT. NO. 234-8/14

(Remand of EDU 15958-15)

LAURIE WARD,

Petitioner,

v.

**NEW JERSEY STATE BOARD OF
EXAMINERS,**

Respondent.

Evan L. Goldman, Esq., for petitioner (Goldman, Davis & Gutfleish, attorneys)

James M. Esposito, Deputy Attorney General, for respondent (Gurbir S. Grewal,
Attorney General of New Jersey, attorney)

Record Closed: February 28, 2018

Decided: March 2, 2018

BEFORE **MARGARET M. MONACO**, ALJ:

Petitioner filed an appeal challenging the determination of respondent New Jersey State Board of Examiners (the Board) denying her application for issuance of a

Teacher of Preschool through Grade Three Certificate of Eligibility. The matter was transmitted to the Office of Administrative Law (OAL) where it was filed for determination under OAL Dkt. No. EDU 13688-14 and assigned to Tiffany M. Williams, Administrative Law Judge. On April 28, 2015, Judge Williams issued an Initial Decision reversing the Board's decision and granting summary decision in favor of petitioner. In a decision dated June 12, 2015, the Commissioner of Education (the Commissioner) remanded the matter to the OAL for further action and development of the record as more particularly described in the Commissioner's decision.

The matter was remanded to the OAL where it was filed under OAL Dkt. No. EDU 15958-15. On December 31, 2015, Judge Williams issued an Initial Decision. In a decision dated February 16, 2016, the Commissioner remanded the matter to the OAL for further action and development of the record as more particularly described in the Commissioner's decision.

The matter was remanded to the OAL where it was filed under OAL Dkt. No. EDU 02378-16 and assigned to the undersigned. Following the prior adjournment of hearing dates, at the parties' request, the hearing was scheduled for March 5, 2018. By letter dated February 28, 2018, counsel for petitioner advised that petitioner is withdrawing her appeal in the within matter.

ORDER

Based on the forgoing, I **ORDER** that, pursuant to N.J.A.C. 1:1-19.2, the matter be returned to the Department of Education for appropriate disposition.

I hereby **FILE** this initial decision with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION** for consideration.

This recommended decision may be adopted, modified or rejected by the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**, who by law is authorized

to make a final decision in this matter. If the Commissioner of the Department of Education does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION, ATTN: BUREAU OF CONTROVERSIES AND DISPUTES, 100 Riverview Plaza, 4th Floor, PO Box 500, Trenton, New Jersey 08625-0500**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

March 2, 2018
DATE


MARGARET M. MONACO, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____
jb