

22-05

OAL DKT. NO. EDU 11055-03 (http://lawlibrary.rutgers.edu/oal/html/initial/edu11055-03_1.html)
AGENCY DKT. NO. 226-6/03

MARSHA B. WILKERSON,	:	
	:	
PETITIONER,	:	COMMISSIONER OF EDUCATION
	:	
V.	:	DECISION
	:	
BOARD OF EDUCATION OF THE	:	
CITY OF ORANGE TOWNSHIP,	:	
ESSEX COUNTY,	:	
	:	
RESPONDENT.	:	
	:	

The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. No exceptions were filed by the parties.

Upon review, the Commissioner concurs with the Administrative Law Judge that the Petition of Appeal is both untimely filed¹ and beyond the scope of the Commissioner's jurisdiction.

Accordingly, for the reasons expressed therein, the Initial Decision is adopted as the final decision in this matter and the Petition of Appeal dismissed.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: January 12, 2005

Date of Mailing: January 12, 2005

¹ In reaching this conclusion, the Commissioner has disregarded the clearly erroneous statement at page 4 of the Initial Decision, which references a cause of action in 1969 and appears to have been replicated from a discussion of untimeliness in an unrelated matter.

² 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.*