

168-21

OAL Dkt. No. EDU 13252-17  
Agency Dkt. No. 189-8/17

**New Jersey Commissioner of Education**  
**Decision**

C.G. and S.G., on behalf of minor child, C.G.,

Petitioners,

v.

Board of Education of the Township of West  
Orange, Essex 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 review, the Commissioner agrees with the Administrative Law Judge's determination – for the reasons stated in the Initial Decision – that no issues remain in dispute and that the petition of appeal should be dismissed. Accordingly, the Initial Decision of the OAL is adopted as the final decision in this matter for the reasons expressed therein, and the petition is hereby dismissed.

IT IS SO ORDERED. <sup>1</sup>

  
ACTING COMMISSIONER OF EDUCATION

Date of Decision: August 17, 2021  
Date of Mailing: August 17, 2021

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<sup>1</sup> This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A.* 18A:6-9.1. Under *N.J.Ct.R.* 2:4-1(b), a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

**DISMISSAL**

OAL DKT. NO. EDU 13252-17

AGENCY DKT. NO. 189-8/17

**C.G. AND S.G. ON BEHALF OF MINOR CHILD C.G.,**

Petitioners,

v.

**BOARD OF EDUCATION OF THE TOWNSHIP**

**OF WEST ORANGE, ESSEX COUNTY,**

Respondent.

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**Marc D. Haefner**, Esq., for petitioners (Walsh, Pizzi O'Reilly, Falaga, LLP,  
attorneys)

**Jodi S. Howlett**, Esq., for respondent (Cleary, Giacobbe, Alfieri & Jacobs, LLC,  
attorneys)

Record Closed: July 12, 2021

Decided: July 12, 2021

BEFORE, **LESLIE Z. CELENTANO**, ALJ:

**STATEMENT OF THE CASE AND PROCEDURAL HISTORY**

Petitioner challenges the Board's decision to suspend their child. The petitioner's request for a hearing was granted and the matter was transmitted to the Office of Administrative Law on September 11, 2017, for hearing as a contested case.

The hearing was scheduled for October 15, 2018. On October 11, 2018, the hearing was adjourned at petitioner's request. The parties agreed to discuss disposition and advise the undersigned.

On December 9, 2020, correspondence was sent to the parties inquiring as to the status of this matter. Counsel for petitioner advised the matter had been subject to settlement discussions and that he would reach out to his adversary to provide a more complete response.

On May 4, 2021, correspondence was sent to the parties inquiring as to the status of this matter and no response was received.

On May 24, 2021, correspondence was again sent to parties requesting the status of this matter. Petitioner's attorney responded that he would reach out to his adversary and advise. No reply was received.

On June 9, 2021, correspondence was again sent to parties requesting the status of his matter. On that date petitioner's attorney responded that he will reach out to his adversary.

On June 30, 2021, correspondence was again sent to the parties requesting the status. No response has been received to that latest of many inquiries.

Over three years have elapsed since the transmittal and filing of this matter, and no substantive response as to the status of this matter has been received from either party. Based upon all of the foregoing I **FIND** that this matter should be and is hereby **DISMISSED**.

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.

July 12, 2021  
DATE

  
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**LESLIE Z. CELENTANO, ALJ**

Date Received at Agency:

July 12, 2021

Date Mailed to Parties:  
dr

July 12, 2021