

EDU #1371-98
C # 214-99
SB # 35-99

PASSAIC COUNTY ELKS CEREBRAL :
PALSY TREATMENT CENTER BOARD :
OF TRUSTEES, :

PETITIONER-APPELLANT, :

V. : STATE BOARD OF EDUCATION

NEW JERSEY STATE DEPARTMENT OF : DECISION
EDUCATION, DIVISION OF FINANCE, :
:
RESPONDENT-RESPONDENT. :
_____ :

Decided by the Commissioner of Education, July 6, 1999

For the Petitioner-Appellant, Malcolm J. McPherson, Jr., Esq.

For the Respondent-Respondent, Arlene G. Lutz, Deputy Attorney General
(John J. Farmer, Jr., Attorney General of New Jersey)

The decision of the Commissioner of Education is affirmed for the reasons expressed therein. In so doing, we grant the respondent's motion to suppress the appellant's reply brief to the extent that it includes a 1986 memorandum from a former assistant commissioner which was not contained in the record of this matter. We have therefore disregarded all references in the reply brief to such memorandum.

December 1, 1999

Date of mailing _____