



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

EMERGENT RELIEF

OAL DKT. NO. EDS 02752-21

AGENCY DKT. NO. 2021 32534

S.M. ON BEHALF OF L.T.,

Petitioners,

v.

**MAHWAH TOWNSHIP BOARD OF
EDUCATION,**

Respondent.

S.M. o/b/o L.T. petitioner pro se

Nathanya G. Simon, Esq., (Scarinci & Hollenbeck, attorneys) for respondent

Record Closed¹: June 3, 2021

Decided: June 4, 2021

BEFORE JUDE-ANTHONY TISCORNIA, ALJ:

This emergent case arises under the Individuals with Disabilities Education Act, 20 U.S.C.A. §§1400 to 1482. The parties have voluntarily agreed to resolve emergent disputed matter and have entered into a settlement. The hearing on this emergent

¹ This matter is final with the record closed only as to the Application for Emergent Relief. As set forth below, the due process petition remains at the OAL.

matter was held on June 3, 2021. The matter was settled as to the emergent matter. The terms of the agreement between the parties, were put on the record.

I have reviewed the terms of settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their affirmation of same on the record during proceedings held on June 3, 2021.
2. The essential terms of the settlement reflect that, if Celebrate the Children agrees to hire a licensed practical nurse for the benefit of L.T., and Celebrate the Children trains said nurse to also act as a 1:1 paraprofessional for the benefit of L.T., the district will reimburse Celebrate the Children for the cost of said nurse/paraprofessional.
3. The settlement fully disposes of all emergent issues in controversy between them and is consistent with the law.

Therefore, I **ORDER** that the parties comply with the settlement terms and that these emergent proceedings be concluded.

This decision on application for emergency relief shall remain in effect until the issuance of the decision on the merits in this matter. The hearing having been requested by the parents, this matter is hereby returned to the Department of Education for a local resolution session, pursuant to 20 U.S.C.A. § 1415 (f)(1)(B)(i). If the parent or adult student feels that this decision is not being fully implemented with respect to program or services, this concern should be communicated in writing to the Director, Office of Special Education Policy and Dispute Resolution.

June 4, 2021



DATE

JUDE-ANTHONY TISCORNIA, ALJ

Date Received at Agency:

6/4/21_____

Date Sent to Parties:

6/4/21_____

id