



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

D.J. ON BEHALF OF J.J.,

Petitioner,

v.

**WOODBRIIDGE TOWNSHIP BOARD
OF EDUCATION,**

Respondent.

OAL DKT. NO. EDS 07547-25

AGENCY DKT. NO. 2025-39053

And

**WOODBRIIDGE TOWNSHIP BOARD
OF EDUCATION,**

Petitioner,

v.

D.J. ON BEHALF OF J.J.,

Respondent.

OAL DKT. NO. EDS 15435-25

AGENCY DKT. NO. 2026-39713

D.J., petitioner, pro se

Alyssa K. Weinstein, Esq., for respondent Woodbridge Township Board of
Education (Busch Law Group LLC, attorneys)

Record Closed: January 20, 2026

Decided: February 12, 2026

BEFORE **WILLIAM T. COOPER III**, ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner D.J. (petitioner or parent) on behalf of J.J. filed a due process petition seeking, in part: (1) reconvening of a properly scheduled individualized education program (IEP) meeting; (2) a full review and retraction of any statements regarding premature graduation; (3) development of a legally compliant individual transition plan (ITP); (4) provision of independent educational evaluations (IEE) at public expense; (5) issuance of a stay-put order preserving J.J.'s current IEP placement and services until age twenty-one; (6) immediate adherence to all parental rights under the Individuals with Disabilities Education Act (IDEA) and N.J.A.C. 6A:14; and (7) formal acknowledgment of D.J.'s educational power of attorney.

The parent argues that respondent Woodbridge Township Board of Education (District) adopted an IEP on April 11, 2025 (the IEP) for the year 2025 without notification to her or compliance with the IDEA. Additionally, the parent argues that J.J.'s education through his placement at Bonnie Brae Residential Treatment Center (Bonnie Brae) continues.

The District argues that J.J. is an eighteen-year-old residing at Bonnie Brae, pursuant to a court order. J.J. is classified for special education and has an IEP. The District has funded the educational component of J.J.'s program provided by Bonnie Brae. The IEP proposes to graduate J.J., and D.J. objects. Further, the District maintains that its evaluations of J.J. were comprehensive, appropriate, accurate, valid, and reliable.

PROCEDURAL HISTORY

The parent's due process petition was transmitted to the Office of Administrative Law (OAL), where it was filed on May 2, 2025, as a contested case under OAL docket number EDS 07547-25. N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13. The District's petition was transmitted to the OAL, where it was filed on September 4, 2025, as a contested case under OAL docket number EDS 15435-25. N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13.

These cases, with the consent of the parties, were consolidated on November 19, 2025.

The parties agreed that the hearing would be held on January 20, 2026. A scheduling notice for January 20, 2026, at 10:00 a.m. at the OAL in Mercerville, New Jersey, was sent to both parties.

On January 20, 2026, petitioner failed to appear and did not notify the court as to why she did not appear. Respondent was present and ready to proceed. Respondent moved for an order dismissing petitioner's due process petition and for summary decision on its petition.

FINDINGS OF FACT

I **FIND** the following uncontested **FACTS**:

1. A telephonic conference was scheduled for July 17, 2025, and respondent appeared and was ready to proceed; however, petitioner failed to appear on that date. No communication was received by the undersigned advising that petitioner would be unavailable.
2. A telephonic conference was scheduled for July 22, 2025, and respondent appeared and was ready to proceed; however, petitioner failed to appear on that date. No communication was received by the undersigned advising that petitioner would be unavailable.
3. A telephonic conference was scheduled for August 25, 2025, and respondent appeared and was ready to proceed. Petitioner appeared and advised that she was seeking assistance from legal counsel and requested a continuance to retain an attorney.

4. A telephonic conference was scheduled for September 4, 2025, and respondent appeared and was ready to proceed. Petitioner appeared and advised that she needed additional time to secure legal representation.
5. A telephonic conference was scheduled for September 16, 2025, and respondent appeared and was ready to proceed. Petitioner appeared and advised that she was unable to secure legal counsel but believed that a settlement conference would be beneficial.
6. Settlement conferences were conducted by the Honorable Tricia Caliguire, ALJ, on October 1 and 8, 2025, but were unsuccessful.
7. A telephonic conference was scheduled for November 5, 2025, and respondent and petitioner both appeared. The parties agreed to complete discovery and conduct a pre-hearing conference on January 8, 2026, with the plenary hearing being held on January 20, 2026.
8. On January 8, 2026, respondent appeared for the scheduled pre-hearing conference, but petitioner failed to appear. No communication was received by the undersigned advising that petitioner would be unavailable.
9. On January 14, 2026, respondent appeared for the scheduled pre-hearing conference, but petitioner failed to appear. No communication was received by the undersigned advising that petitioner would be unavailable.
10. On January 20, 2026, respondent appeared for the scheduled plenary hearing, but petitioner failed to appear. No communication was received by the undersigned advising that petitioner would be unavailable. Respondent moved to dismiss petitioner's due process complaint for lack of prosecution and for the issuance of a summary decision determining that respondent has provided appropriate evaluations and is not required to fund the independent evaluations requested by petitioner.

11. The record establishes that J.J. underwent Child Study Team evaluations by the District in 2010 (developmental, speech-language), 2011 (behavioral), 2012 (educational, psychological, speech-language), 2013 (speech-language), 2018 (educational, psychological), 2022 (educational, psychological), and 2025 (educational, psychological).

CONCLUSIONS OF LAW

Motion to Dismiss (EDS 07547-25)

N.J.A.C. 1:1-14.4(a) provides that, if, after appropriate notice, a party does not appear in any proceeding scheduled by a judge, the judge shall hold the matter for one day before taking any action. If the judge does not receive an explanation for the nonappearance within one day, the judge may direct the Clerk to return the matter to the transmitting agency for appropriate disposition. D.J. failed to appear at the scheduled plenary hearing, and she failed to provide an explanation for her non-appearance within one day of her non-appearance.

Based upon the foregoing facts and the applicable law, I **CONCLUDE** that petitioner has abandoned this matter and that EDS 07457-25 should be **DISMISSED**.

Summary Decision (EDS15435-25)

The District requested summary decision. Under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6, “[a] party may move for summary decision upon all or any of the substantive issues in a contested case.” N.J.A.C. 1:1-12.5(a). Such motion “shall be served with briefs and with or without supporting affidavits,” and “[t]he decision sought may be rendered if the papers and discovery which have been filed, together with the affidavits, if any, show that there is no genuine issue as to any material fact challenged and that the moving party is entitled to prevail as a matter of law.” N.J.A.C. 1:1-12.5(b). When the motion “is made and supported, an adverse party in order to prevail must by responding affidavit set forth specific facts showing that there is a genuine issue which can only be determined in an evidentiary proceeding.” Ibid.

The standard governing agency determinations under N.J.A.C. 1:1-12.5 is “substantially the same as that governing a motion under Rule 4:46-2 for summary judgment in civil litigation.” L.A. v. Bd. of Educ. of Trenton, 221 N.J. 192, 203 (2015) (quoting Contini v. Bd. of Educ. of Newark, 286 N.J. Super. 106, 121–22 (App. Div. 1995) (citations omitted), certif. denied, 145 N.J. 372 (1996)). “In other words, a court must ascertain ‘whether the competent evidential materials presented, when viewed in the light most favorable to the non-moving party in consideration of the applicable evidentiary standard, are sufficient to permit a rational factfinder to resolve the alleged disputed issue in favor of the non-moving party.’” Id. at 204 (quoting Brill v. Guardian Life Ins. Co. of Am., 142 N.J. 520, 523 (1995)); see also Contini, 286 N.J. Super. at 121–22.

Here, the facts are undisputed, and they establish that student J.J. underwent Child Study Team evaluations by the District in 2010, 2011, 2012, 2013, 2018, 2022, and 2025. Respondent has proven by a preponderance of the credible evidence that J.J. was provided with appropriate evaluations.

Further, based upon the foregoing facts and the applicable law, I **CONCLUDE** that respondent has complied with N.J.A.C. 6A:14-2.5, and petitioner has failed to provide any explanation why any of the previous IEEs are unacceptable. I **CONCLUDE** that respondent is not required to fund the IEE requested by petitioner.

ORDER

It is **ORDERED** that EDS 07547-25 is hereby **DISMISSED**.

It is further **ORDERED** as to EDS 15435-25 that respondent Woodbridge Township Board of Education has provided appropriate evaluations of J.J. and is not required to fund the requested independent educational evaluations requested by D.J.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2024) and is appealable by filing a complaint and bringing a civil action either in the Law Division of the Superior Court of New Jersey or in a district court of the United States. 20

U.S.C. § 1415(i)(2); 34 C.F.R. § 300.516 (2024). If the parent or adult student feels that this decision is not being fully implemented with respect to the program or services, this concern should be communicated in writing to the Director, Office of Special Education Programs.

February 12, 2026

DATE



WILLIAM T. COOPER, ALJ

Date Received at Agency:

Date Mailed to Parties:

WTC/am