

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

**FINAL DECISION**

OAL DKT. NO. EDS 18095-17

AGENCY DKT. NO. 2018-27268

**T.P. ON BEHALF OF A.P.,**

Petitioners,

v.

**NORTHERN VALLEY REGIONAL**

**BOARD OF EDUCATION,**

Respondent.

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T.P. on behalf of A.P., petitioner

**Frances L. Febres**, Esq., for respondent (Cleary Giacobbe Alfieri Jacobs,  
attorneys)

Record Closed: January 23, 2018

Decided: February 6, 2018

BEFORE **JULIO C. MOREJON**, ALJ:

**STATEMENT OF THE CASE AND PROCEDURAL HISTORY**

Petitioner, T.P., o/b/o A.P., challenges the actions of the Northern Valley Regional Board of Education (the Board) in suspending A.P. for the school year due to an alleged breach of the Student Code of Conduct for the Northern Valley Old Tappan High School Handbook, and the Board's policies. The Board's decision made on December 1, 2017, provided: 1). A.P. is suspended through the end of the 2017-2018 school year, which ends on June 30, 2018; 2). An alternative educational setting for the duration of A.P. suspension is to be determined by the Child Study Team in accordance

with the procedures set forth in N.J.A.C. 6A:14-1, et seq; 3). A.P. is to receive home instruction in accordance with N.J.S.A. 18A: 38-1, et seq., N.J.A.C. 6A:16-10.2, until an appropriate alternative education setting is determined; 4). During the term of the suspension, A.P. is prohibited from being on school premises unless he has received prior authorization of the Administration, and 5). A.P. may not participate in the Board's athletic program or any other Board-sponsored extracurricular activities, including graduation and senior prom.

T.P. contends that the Board "falsely" accused A.P. of the alleged conduct and violations, and that the Board erred in determining that A.P.'s diagnosis of ADHD did not manifest in A.P.'s alleged conduct resulting in his suspension.<sup>1</sup>

T.P. filed a Parental Request for Expedited Due Process Hearing (Expedited Due Process petition) on December 7, 2017, with the Department of Education, Office of Special Education Policy and Procedure (OSEP), on December 7, 2016, challenging the actions of the Board and seeking restoration of A.P. as a student at Northern Valley Old Tappan Regional High School. On December 7, 2017, OSEP transmitted this matter to the Office of Administrative Law for a hearing on the merits of the underlying claims raised in the petition. The same was filed with the OAL Clerk's Office on December 11, 2017.

On December 20, 2017, the Board filed a Response to the Request for Due Process and Motion to Dismiss. The Board sought dismissal on the basis that T.P. was contesting the Board's decision to discipline A.P. and was not actually contesting the Board's provision of a free, appropriate public education ("FAPE"). On December 27, 2017, the undersigned denied the Board's Motion to Dismiss after finding that in contesting the Board's decision to discipline A.P., T.P. was contesting whether FAPE was provided.

The expedited due process hearing was held on January 10, 2018 and January 17, 2018. T.P. appeared *pro se*, and A.P. consented to having T.P. represent his

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<sup>1</sup> . A.P. is a student who has been classified as eligible for special education and related services under the classification of Other Health Impaired due to a diagnosis of ADHD.

interests during the hearing. T.P. and A.P. served as witnesses in Petitioner's case in chief. The Board presented the following witnesses: (i) Dr. Robert Hyman, Assistant Principal of Northern Valley Old Tappan High School; (ii) Dr. Bruce Sabatini, Principal of Northern Valley Old Tappan High School; and (iii) Dr. Joseph Graybill, School Psychologist and A.P.'s individualized education program ("IEP") case manager. At the conclusion of the hearing, the parties were presented with an opportunity to submit a post-hearing brief by January 23, 2018, which they did and the record was closed on said date.

### **ISSUES**

1. Did the Board correctly determine that A.P.'s conduct was not a manifestation of his disability, leading to the Board disciplining A.P. through the end of the school year.
2. Did A.P. receive FAPE during the period of his suspension.

### **FINDINGS OF FACT**

Having had an opportunity to observe the appearance and demeanor of the witnesses, and consider the testimonial and documentary evidence, including whether hearsay evidence has been corroborated, I **FIND** the following as **FACT**:

A.P. has been classified as eligible for special education and related services under the classification of Other Health Impaired due to a diagnosis of ADHD. Since enrolling into Northern Valley Old Tappan High School ("NVOT") after eighth grade, A.P.'s presence in general education classes have increased. In eighth grade, prior to A.P.'s enrollment in NVOT, he had been placed in three (3) self-contained, special education classes and three (3) general education classes. In ninth grade, while in NVOT, A.P. was placed in six (6) general education classes and two (2) pull-out resource classes, one for English and one to provide academic support. A.P. was also provided with counseling services.

On October 31, 2017, several students reported witnessing students “vaping”<sup>2</sup> in the boys’ bathroom. A.P.’s name was provided to Dr. Bruce Sabatini, NVOT Principal, (Dr. Sabatini), as one of the students who were vaping. As a result of these reports, A.P. was questioned by Dr. Robert Hyman, the Assistant Principal (Dr. Hyman), in the presence of Dr. Joseph Graybill, who has been A.P.’s case manager throughout A.P.’s academic career at NVOT (Dr. Graybill).

Dr. Hyman asked A.P. several questions, including if he sold drugs to other students. A.P. denied selling drugs to other students but did admit to using “JUULS”, which are vaping products, and sharing them with students. During that meeting, A.P. consented to the search of his backpack and person; no vaping products or controlled dangerous substances were found. Dr. Sabatini asked A.P. if had a vehicle on campus. A.P.’s responded in the affirmative and consented to the search of his vehicle.<sup>3</sup>

Prior to arriving at A.P.’s vehicle, A.P. informed Dr. Hyman and Dr. Sabatini that he had a knife locked in the glove compartment of his truck. A.P. advised Dr. Hyman and Dr. Sabatini that he used the knife for his part-time landscaping business. A.P. turned over the knife to Dr. Hyman and Dr. Sabatini, and his vehicle was searched and the following items were cataloged in A.P.’s truck: empty vaping cartons of JUULS and Phix; Phix vape pen; three empty oil pods; an e-cigarette (brand unknown) empty oil chamber; two empty cartons labeled “Vape Meds-Durban Cookies (THC cartridges); approximately \$150 in cash; tarp for leaves; bungee cords, screwdrivers, an industrial floor light and other landscaping and general contracting tools. A.P. explained that he uses the machete type knife that he had in his car to remove leaves from his rake and cut brush as part of his landscaping work.

Although A.P. and T.P. testified that the knife was used for A.P.’s landscaping business, and that A.P. did not intend to bring the knife to school as it was an oversight.

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<sup>2</sup> Definition of vape- vaped; vaping: to inhale vapor through the mouth from a usually battery-operated electronic device (such as an electronic cigarette) that heats up and vaporizes a liquid or solid. (<https://www.merriam-webster.com/dictionary/vape>)

<sup>3</sup> Dr. Hyman and Dr. Sabatini testified that they had reasonable suspicion to search A.P. based upon the statements of the other students and A.P.’s admission to using and sharing vape products with students.

T.P. testified further that A.P. was experiencing home stressors related to his father, P.C.'s health and hospitalization that occurred around the time of the incident. T.P. testified that the Board and the CST did not take into consideration the entire set of circumstances surrounding A.P.'s home environment in rendering its decision.

Despite, A.P. and T.P.'s testimony, the Board contends that the possession of the knife nevertheless violated Board Policy and the Student Handbook; and that the vaping products constituted "drug paraphernalia" also in violation of Board Policy. The Board notified T.P. of the knife and vaping products that were found in A.P.'s truck as well as the discipline that would be initially imposed. Between October 31, 2017 and November 2, 2017, T.P. had various conversations with school administration and A.P.'s case manager, Dr. Graybill concerning the imposed discipline and A.P.'s well-being.

Dr. Hyman asked T.P. to take A.P. for a chemical screening based upon the drug paraphernalia found in A.P.'s car. The results of that drug screening were positive for Marijuana.<sup>4</sup> T.P. further notified Dr. Sabatini, Dr. Graybill and Dr. Hyman that she was concerned for A.P. because of the sanction imposed by the Board, and explained that A.P. had been under a lot of stress due to his father's health and recent hospitalization, which might cause A.P. to be "forgetful".

Since A.P. was found to be in possession of a weapon on school premises, he was removed to an alternative educational setting, specifically home instruction, for up to forty-five (45) days. On November 7, 2017, a manifestation determination meeting (Manifestation Determination) was held to determine whether A.P.'s conduct, in possessing a weapon on school grounds and using marijuana, was a manifestation of his disability.<sup>5</sup> A.P.'s teachers and Dr. Graybill participated in the manifestation determination meeting, along with the Assistant Director of Special Services, Dr. Courtney Moran, Dr. Bruce Sabatini, and T.P. and A.P.

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<sup>4</sup> The Board did not allege that A.P. was under the influence of drugs on October 31, 2017, or that A.P. had used drugs while on school property or during a school event.

<sup>5</sup> The Board did not allege that A.P. was under the influence of drugs on October 31, 2017, or that A.P. had used drugs while on school property or during a school event.

Throughout A.P.'s academic career, his IEPs were tailored to address his distractibility and lack of motivation. Supplementary aides and modifications were added to A.P.'s educational programs to help him maintain focus, break up assignments into more manageable tasks, and provide extended time on tests. During counseling sessions, A.P.'s academic performance and status was addressed, as well as his emotional well-being. The Child Study Team (CST) determined that A.P.'s conduct in possessing a knife on campus and using marijuana was not a manifestation of A.P.'s disability.

Dr. Graybill explained that the determination was made by assessing how A.P.'s disability presents and how the IEP team, which includes A.P.'s teachers, know him. That same day, an IEP meeting was held that placed A.P. on home instruction pending placement in an out-of-Board therapeutic school. Part of A.P.'s IEP included counseling services by the Student Assistance Coordinator ("SAC") to address his marijuana use and stress. The revised IEP provides A.P. with ten (10) hours of weekly home instruction. At least two (2) hours of English home instruction is provided through online programming using a program called Educere. According to Dr. Graybill, the home instruction that the Board is providing would satisfy A.P.'s graduation requirements.

On November 13, 2017, home instruction services began. A.P., T.P., and A.P.'s father, coordinate the home instruction schedule directly with the home instructors. Home instruction is provided in a 1:1 setting. That is, only the instructor and A.P. are present for the instruction. According to Dr. Sabatini, a 1:1 instructional setting provides an "optimal" educational environment. A.P. testified that during a one-on-one lesson with the instructor, he can ask questions and seek clarification, when needed. The same mathematics teacher who taught A.P. prior to his suspension continued to teach him while on home instruction.

In addition to home instruction, A.P. is provided with guidance counseling services to help him explore post-secondary education opportunities. A.P. can speak directly with his guidance counselor, via telephone or email, and can also use the

resources provided through Navient, an online program to which A.P. has access. A.P. explained that he has his guidance counselor's contact information and a laptop provided by the Board.

On November 27, 2017, the Board held a disciplinary hearing during which T.P. and A.P. attended and participated. Following the hearing, the Board voted to suspend A.P. through the end of the school year.<sup>6</sup> The Board further voted to place A.P. in an alternative educational setting for the duration of A.P.'s suspension, to be determined by the CST. Pending placement in an alternative educational setting, A.P. would be placed on home instruction. In addition, the Board determined to review A.P.'s suspension at each subsequent Board meeting, commencing with its second meeting following the date of the disciplinary hearing in accordance with N.J.S.A. 6A:16-7.3. T.P. testified that she had not heard from the Board after the December 1, 2017, decision and Dr. Sabatini could not confirm if the Board had conducted its review of A.P.'s suspension as stated in the December 1, 2017 decision.

Between November 13, 2017 and January 17, 2018, approximately sixty-seven (67) hours of home instruction were provided to A.P. during an eight-week period. Seven hours of home instruction were canceled at the request of Petitioner or A.P. Dr. Graybill and Dr. Sabatini testified that home instruction sessions can be made up. Dr. Sabatini affirmed that between now and the end of the school year, there is time to make up the additional hours. A.P. testified that he canceled home instruction services because of landscaping jobs and having to care for his father.

T.P. testified that she works during the day, and therefore A.P. will pick up medication for his father and take his father to medical appointments. T.P. further testified that, going forward, she will cooperate with the Board in ensuring that A.P. is consistently available for home instruction.

Dr. Graybill testified that a therapeutic school is appropriate for A.P. At least two (2) therapeutic schools were identified by the IEP team and referred to by T.P. Dr.

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<sup>6</sup> The Board issued its written decision by letter dated December 1, 2017.

Graybill testified that he scheduled school visits with both schools but T.P. did not attend. T.P. testified that she wanted to wait for the hearing determination before visiting the schools.

The testimony of Dr. Hyman, Dr. Graybill and Dr. Sabatini all confirmed that A.P. had no prior disciplinary history at NVOT and that he is a polite and model student. Dr. Sabatini testified that he made the decision to suspend A.P., which the District approved, which was predicated upon the knife found in his vehicle, which he deemed to be a “dangerous instrument” in violation of NVOT policy.

### **LEGAL ANALYSIS AND CONCLUSION**

Under the Individuals with Disabilities Education Act (“IDEA”), 20 U.S.C.A. §§ 1400–1482, and its implementing regulations, a school district “may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child’s disability” if the child brings a weapon to school, inflicts serious bodily injury on another person at school, or “knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function.” 20 U.S.C.A. § 1415(k)(1)(G); 34 C.F.R. § 300.530(g) (2014); see also N.J.A.C. 6A:14-2.8(d), (f).

Under the IDEA, the procedures governing the suspension of disabled students are as follows:

In most circumstances, school authorities may suspend the student's placement for more than ten school days only if "the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability."  
§ 1415(k)(1)(C).

To ascertain whether the behavior was a manifestation of the disability, the statute mandates a manifestation conference "within 10 school days of any decision to change the placement." § 1415(k)(1)(E).



At this meeting, "the local educational agency, the parent, and relevant members of the IEP Team" are instructed to "review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine" whether the improper conduct was caused by the student's disability or the district's failure to properly implement the child's IEP. Id. If the hearing concludes that the behavior constituted a manifestation of the disability, the IEP Team must conduct a functional behavioral assessment, implement or review the behavioral intervention plan, and immediately return the student to her previous placement.  
§ 1415(k)(1)(F).

(See, A.P. ex rel. A.P. v. Pemberton Twp. Bd. of Educ., No. 05-3780, 2006 U.S. Dist. LEXIS 32542, 2006 WL 1344788, at 79 (D.N.J. May 15, 2006).

A.P. was initially charged with violating the Student Code of Conduct for possession of a dangerous weapon on school grounds (the knife in his vehicle) and for use of drugs (resulting from a chemical screening revealing that A.P. tested positive for marijuana). The Manifestation Determination that was conducted on November 2, 2017, describes the violation of the school rules or code of conduct that is at issue as follows:

[A.P.] was questioned by the Assistant Principle and Principal on reasonable suspicion of a chemical substance. [A.P.] was cooperative and allowed the School Administration to search his belongings as well as his car, which was parked on school grounds. Upon this search, a large knife and drug paraphernalia were found in [A. P's] car. In response, [A.P.] was sent for a chemical screening due to reasonable suspicion and possession of drug paraphernalia. [A.P.] disclosed to the School Administration that he had a knife for 'landscaping purpose' in his car. [A.P.] was accused of unlawful possession of a weapon at the High School. Additionally, a chemical screening revealed that [A.P.] tested positive for marijuana. These incidences were violations of the Student Code of Conduct, the Northern Valley-Old Tappan High School Handbook and Board of Education policies. Due to the nature of these violations, the Child Study Team decided to implement a removal to an interim alternative educational settling for a period of forty-five (45) calendar days. 20 U.S.C. 1415(k)(1)(G). The forty-five (45) day removal period began on November 1, 2017.

The Board's decision rendered December 1, 2017, to suspend A.P. through the end of the 2017-2018 school year, was predicated on A.P. having a knife on the school grounds, which the Board found "threatens the safety and security of the school community". The testimony of Dr. Sabatini confirms that he recommended the Board suspend A.P. because he brought the knife on campus.<sup>7</sup>

Under 20 U.S.C.A. 1415(k)(1)(E), "the local educational agency, the parent, and relevant members of the IEP Team" are instructed to "review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine" whether the improper conduct was caused by the student's disability or the district's failure to properly implement the child's IEP." A critical element of the manifestation hearing is a determination if the "improper conduct" was or was not a manifestation of the student's disability. This analysis is made difficult if the CST does not properly identify the "improper conduct" at issue.

The CST Manifestation Determination resulted in a finding that "there was no evidence to suggest that [A.P.'s] conduct was a manifestation of his disability." However, the Manifestation Determination does not differentiate which "conduct" the CST refers to in rendering its decision - possession of the knife, which was the reason for A.P.'s suspension, or possession of drug paraphernalia, or the positive testing for marijuana usage. The underlying Manifestation Determination is flawed in that it does not properly identify the specific "conduct" considered. Dr. Sabatini's testimony revealed that A.P.'s possession of a knife on campus in conjunction with the alleged drug use and drug paraphernalia, threatened the "safety and security" of the school community.

**I CONCLUDE** that the CST's Manifestation Determination as to the alleged school violation was made without distinction as to whether it was for possession of the knife alone, or possession of the knife, drug paraphernalia and drug usage; a critical

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<sup>7</sup> The alleged drug paraphernalia or positive test for drug usage were not, as far as the facts presented, a finding for the suspension but an aggravating factor in A.P. having the knife on campus.

factor in determining if the manifestation determination consideration of the violation of the “improper conduct was caused by the student's disability.” **I CONCLUDE**, further, that the Board’s inability to establish what “improper conduct” the CST relied upon in rendering its Manifestation Consideration renders the Manifestation Determination defective and not in compliance with 20 U.S.C.A. 1415(k)(1)(E).

The second and critical component of the manifestation determination is the determination if the alleged “improper conduct” was caused by the “student’s disability”. The local educational agency, the parent, and relevant members of the IEP Team are instructed to "review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine" whether the improper conduct was caused by the student's disability. The IEPs submitted in evidence and testified to by Dr. Graybill, have consistently contained a diagnosis for A.P. of ADHD. The psychological evaluation of A.P. conducted on September 19, 2016, which is referred to in the IEP of November 23, 2016 (2016 IEP) and November 21, 2017 (2017 IEP), confirms A.P.’s diagnosis of ADHD, which “affects his [A.P.’s] ability to sustain focus and attention.” The 2016 and 2017 IEPs contain the following analysis:

General Description:

[A.P.] also has difficulty with executive functioning. Planning, organizing, and self-monitoring are areas of weakness. He benefits from out-of-class support to provide assistance in these areas.

Areas of Concern:

Inattentiveness/distractibility.

T.P. and A.P. both testified that A.P. used the knife for his landscaping business and that he did not intend to bring the knife on campus as it was an oversight. In addition, both T.P. and A.P. testified that the family unit and A.P. in particular, were under stress at home because of A.P.’s father’s (P.C.) illness resulting in his hospitalization for an extended period of time, and thus a contributing factor to A.P.’s unintentional conduct in leaving the knife locked in the glove compartment of his truck.

Neither the Manifestation Determination or Dr. Graybill's testimony disclose that the CST took A.P.'s family stressor into consideration in determining that A.P.'s alleged conduct was not a manifestation of his disability. 20 U.S.C. 1415(k)(1)(E), requires that the Board and specifically the CST, review all relevant information in the student's file, "including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine" whether the improper conduct was caused by the student's disability or the district's failure to properly implement the child's IEP.

The result of the Manifestation Determination is also not consistent with A.P.'s overall conduct, as testified to by Dr. Graybill and A.P.'s teachers. All agree that A.P. is a "model student", who has no prior disciplinary history except for the alleged misconduct. Dr. Sabatini's testimony reveals that he was applying a zero-tolerance test for violations of the Board's policy against weapons and dangerous instruments on campus, and that the CST was influenced by the same. The record is devoid of any consideration by the CST of A.P.'s home stressor's when considering his ADHD diagnosis with the alleged misconduct.

Under State law, the school district bears the burden of proof and the burden of production in any due-process hearing held in accordance with the IDEA with respect to "the identification, evaluation, reevaluation, classification, educational placement, the provision of a free, appropriate public education, or disciplinary action, of a child with a disability." N.J.S.A. 18A:46-1.1. In a due-process hearing before the OAL, "[t]he judge's decision shall be based on the preponderance of the credible evidence, and the proposed action of the board of education or public agency shall not be accorded any presumption of correctness." N.J.A.C. 1:6A-14.1(d).

**I CONCLUDE** that the Board has failed to demonstrate by a preponderance of the evidence that A.P.'s alleged misconduct was not a manifestation of his diagnosis of ADHD, when factoring in all information provided by the parent and student.

State and federal laws require local public school districts to identify, classify and provide a free and appropriate public education (FAPE) to children with disabilities. 20

U.S.C.A. § 1412; N.J.S.A. 18A:46-8 et seq. As a recipient of federal funds under the Individual with Disabilities Education Act (IDEA), the State of New Jersey has a policy that assures all children with disabilities the right to FAPE. The responsibility to provide FAPE, including special education and related services, rests with the local public school district. See 20 U.S.C.A. § 1401(9); N.J.A.C. 6A:14-1.1(d). In accordance with N.J.S.A. 18A:46-1.1, the burden of proving that FAPE has been offered rests with the school personnel.

I **CONCLUDE** that The Board's decision to suspend A.P. and revise the IEP is not consistent with FAPE. The Board determined to suspend A.P. and amend the IEP after the Manifestation Determination found that the A.P.'s conduct was not a manifestation of his disability. As I have concluded that the Manifestation Determination was defective, I therefore **CONCLUDE** that the Board's decision to amend the IEP on November 21, 2017, to provide home instruction until an appropriate alternative educational setting is determined is not consistent with FAPE.

### **ORDER**

It is **ORDERED** that the Petitioner's Expedited Due Process Hearing seeking to have A.P. returned to the natural school environment is **GRANTED**.

It is **FURTHER ORDERED** that the Board's suspension of A.P. through the end of the school year 2017-2018, including the prohibition of A.P. from being on school premises, participation in the Board's athletic program or any other Board sponsored extracurricular activities, including graduation and senior prom is **REVERSED**.

It is **FURTHER ORDERED** that the IEP dated November 7, 2017, changing A.P.'s placement is **REVERSED**.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2017) 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 (2017). 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 Programs.

February 6, 2018  
DATE

JULIO C. MOREJON, ALJ

Date Received at Agency

February 6, 2018

Date Mailed to Parties:  
lr

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**APPENDIX**

**WITNESSES**

**For Petitioner:**

A.P.  
T.P.

**For Respondent:**

Dr. Robert Hyman, Assistant Principal of Northern Valley Old Tappan High School  
Dr. Bruce Sabatini, Principal of Northern Valley Old Tappan High School  
Dr. Joseph Graybill, School Psychologist and A.P.'s individualized education program ("IEP") case manager

**EXHIBITS**

**For Petitioner:**

P-1 Letter from Charles Wuhl, M.D., dated November 30, 2017

**For Respondent:**

- R 1 Northern Valley Regional High School Policy-Conduct/Discipline
- R-2 Northern Valley Regional High School Policy-Suspension and Expulsion
- R-3 Northern Valley Regional High School Policy-Weapons and Dangerous Instruments
- R-4 NVOT Student Handbook 2017-2018-Weapons Possession
- R-5 NVOT Student Handbook 2017-2018-Drug/Alcohol Abuse
- R-6 NVOT Student Handbook 2017-2018-Parking
- R-7 Detailed Timeline Report dated November 22, 2017
- R-8 Letter from Barbara Battaglia, Director of High School Special Services, to Mr & Mrs. C., dated November 3, 2017
- R-9 Letter from Bruce R. Sabatini, Ed. D., Principal, to Ms. C., dated November 8, 2017

- R-10 Letter from James R. Santana, Superintendent of Schools, to Ms. C., dated November 16, 2017
- R-11 Letter from James R. Santana, Superintendent of Schools, to Ms. C., dated November 22, 2017
- R-12 MRO Report, verified date November 3, 2017
- R-13 Letter from James R. Santana, Superintendent of Schools, to Ms. C., dated December 1, 2017
- R-14 Harrington Park School Eligibility Conference Report, signatures dated March 10, 2014
- R-15 Northern Valley Regional High School Individualized Education Program-Annual Review, signatures dated February 26, 2015
- R-16 Northern Valley Regional High School Individualized Education Program - Re-Evaluation, signatures dated November 16, 2016
- R-17 Northern Valley Regional High School Child Study Team Psychological Evaluation, Evaluation date September 16, 2016
- R-18 Northern Valley Regional High School Manifestation Determination, dated November 2, 2017
- R-19 Northern Valley Regional High School Individualized Education Program-Annual Review, signatures dated November 7, 2017
- R-20 Identified – no admitted into evidence
- R-21 Dates and Times for HI with A.P.
- R-22 A.P. Home Instruction Chart and Timesheets
- R-23 Board of Education Northern Valley Regional High School Dist. Time Sheet dated December 8, 2017
- R-24 E-mail from Bruce Sabatini to Gloria Cerrato dated January 8, 2018
- R-25 Educere Invoice dated November 30, 2017