

#123-16 (OAL Decision: Not yet available online)

JENNIFER FARGO,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
NEW JERSEY DEPARTMENT OF	:	DECISION
EDUCATION, STATE BOARD OF	:	
EXAMINERS,	:	
	:	
RESPONDENT.	:	
_____	:	

SYNOPSIS

*Pro se* petitioner filed an appeal in October 2015 challenging the Board of Examiners’ determination to deny her application for an experience-based Certificate of Eligibility (CE) as a Teacher of Career and Technical Education (CTE): Baking. Petitioner contended that she had 4,000 hours of relevant employment experience as well as significant training in baking at the French Culinary Institute, which should be deemed to meet the applicable statutory and regulatory provisions for obtaining a CTE: Baking endorsement. The respondent filed a motion for summary decision in lieu of an answer. Petitioner never responded to the motion for summary decision.

The ALJ found that: there are no issues of material fact, and the matter is ripe for summary decision; the issue in this case is whether respondent’s denial of petitioner’s application for the CTE: Baking CE was consistent with the applicable statutory and regulatory provisions; petitioner has not provided any evidence or documents to show that her education and experience at the French Culinary Institute, or her work as a teacher’s aide at Hudson County School of Technology have a one to one correspondence with the certification requirements. Accordingly, the ALJ concluded that petitioner has not shown that respondent’s denial of her application for a CTE: Baking CE was inconsistent with applicable rules and regulations. The ALJ granted respondent’s motion for summary decision, and recommended dismissal of the petition.

Upon review, the Commissioner concurred with the ALJ’s determination that the respondent is entitled to summary decision. Accordingly, the petition was dismissed.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

March 31, 2016

OAL DKT. NO. EDU 19735-15  
AGENCY DKT. NO. 330-10/15

JENNIFER FARGO,	:	
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PETITIONER,	:	
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V.	:	COMMISSIONER OF EDUCATION
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NEW JERSEY DEPARTMENT OF	:	DECISION
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	:	
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_____	:	

The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. The parties did not file exceptions to the Initial Decision.

Upon such review, the Commissioner concurs with the Administrative Law Judge that the Board of Examiners is entitled to summary decision. Accordingly, the petition of appeal is dismissed.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: March 31, 2016  
Date of Mailing: March 31, 2016

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\* This decision may be appealed to the Superior Court, Appellate Division, pursuant to *P.L.* 2008, *c.* 36.