



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

AMENDED

FINAL DECISION

OAL DKT. NO. EDS 05481-22

OAL DKT. NO. 2022-34405

A.G. ON BEHALF OF E.A.,

Petitioner,

v.

MORRIS HILLS REGIONAL

BOARD OF EDUCATION,

Respondent.

No Appearance by A.G., petitioner, pro se

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

Record Closed: July 19, 2022

Decided: July 21, 2022

BEFORE **SUSANA E. GUERRERO**, ALJ:

On or around April 5, 2022, petitioner filed a petition for due process with the Office of Special Education. The Office of Special Education subsequently transmitted the case to the Office of Administrative Law under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and N.J.S.A. 52:14F-1 to -23, for a hearing under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6, and N.J.A.C. 1:6A-1.1 to -18.5, where it was received on July 1, 2022.

In a letter dated July 1, 2022, petitioner was notified that the case had been transmitted to the Office of Administrative Law for a hearing and that a Settlement

Conference had been scheduled for July 13, 2022, at 1:00 p.m., via Zoom. The Settlement Conference had been assigned to the undersigned. On July 13, 2022, counsel for Morris Hills Regional Board of Education (the District) and a translator retained for the pro se petitioner appeared for the Settlement Conference. The petitioner did not appear for the Settlement Conference. Attempts were made to reach her between 1:00 p.m. and 1:30 p.m., but she did not respond. She never reached out to this tribunal to explain why she failed to appear.

Another email was sent to the petitioner on July 14, 2022 by this tribunal informing petitioner that she was required to appear for a rescheduled Settlement Conference on July 19, 2022 at 3:30 p.m., via Zoom, and that her failure to appear may result in the dismissal of her petition. She never responded to that email and she never appeared for the Settlement Conference. The parties waited until after 4:00 p.m. for petitioner to appear via Zoom but she failed to do so. To date, petitioner has not contacted this tribunal to explain why she did not appear for the July 13, 2022 or the July 19, 2022 Settlement Conference and participate in this process. Therefore, this case is **DISMISSED** without prejudice.

This decision is final pursuant to 20 U.S.C. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2022) 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 (2022). 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.

July 21, 2022
DATE


SUSANA E. GUERRERO, ALJ

Date Received at Agency _____

Date Mailed to Parties: _____
jb