



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

DECISION APPROVING SETTLEMENT

OAL DKT. NO. EDS 9393-13

AGENCY DKT. NO. 2013 19812

██████████, on behalf of ██████████

Petitioners,

v.

**SEA GIRT BOROUGH BOARD OF
EDUCATION,**

Respondent.

Jayne M. Wesler, Esq., for petitioners (Sussan, Greenwald & Wesler, attorneys)

Eric Harrison, Esq., for respondent (Methfessel & Werbel, attorneys)

Record Closed: September 23, 2013

Decided: October 1, 2013

BEFORE JOHN R. FUTEY, ALJ:

Petitioners, ██████████ and ██████████ seek residential placement at the Riverview school for ██████████. This case arises under the Individuals with Disabilities Education Act, 20 U.S.C.A. §§1400 to 1482. Prior to the hearing date of September 30, 2013, the parties resolved all disputed matters and have entered into a settlement as set forth in the attached document. Also attached is a copy of the Board Resolution adopting the settlement.

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

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures on the attached document and the attached Board resolution. The agreement provides exclusively for a financial settlement, whereby [REDACTED] will not be enrolled in the public schools and the Board will provide a monetary amount annually to defray his parents' expenses in educating him privately. Accordingly, the settlement terms do not require that I approve the placement itself, nor do I via this decision. I do **FIND**, however, that the financial settlement between the parties provides a practical and sensible resolution to potentially protracted litigation and is in the best interest of the parties, and the public, to whom the Board owes a fiduciary duty.
2. The settlement fully disposes of all 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 proceedings be concluded.

This decision is final pursuant to 20 U.S.C.A. § 1415(i)(1)(A) and 34 C.F.R. § 300.514 (2010). 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.

October 1, 2013
DATE



JOHN R. FUTEY, ALJ

Date Mailed to Parties:

10/11/13

mph

APPENDIX



LIST OF EXHIBITS

Jointly submitted

J-1 Executed Settlement Agreement

METHFESSEL & WERBEL, ESQS.
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+1(732) 248-2355
harrison@methwerb.com
Attorneys for Sea Girt Board of Education
Our File No. 77770 ELH

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OFFICE OF ADMINISTRATIVE LAW

 O/B/O 
Petitioner,

V.

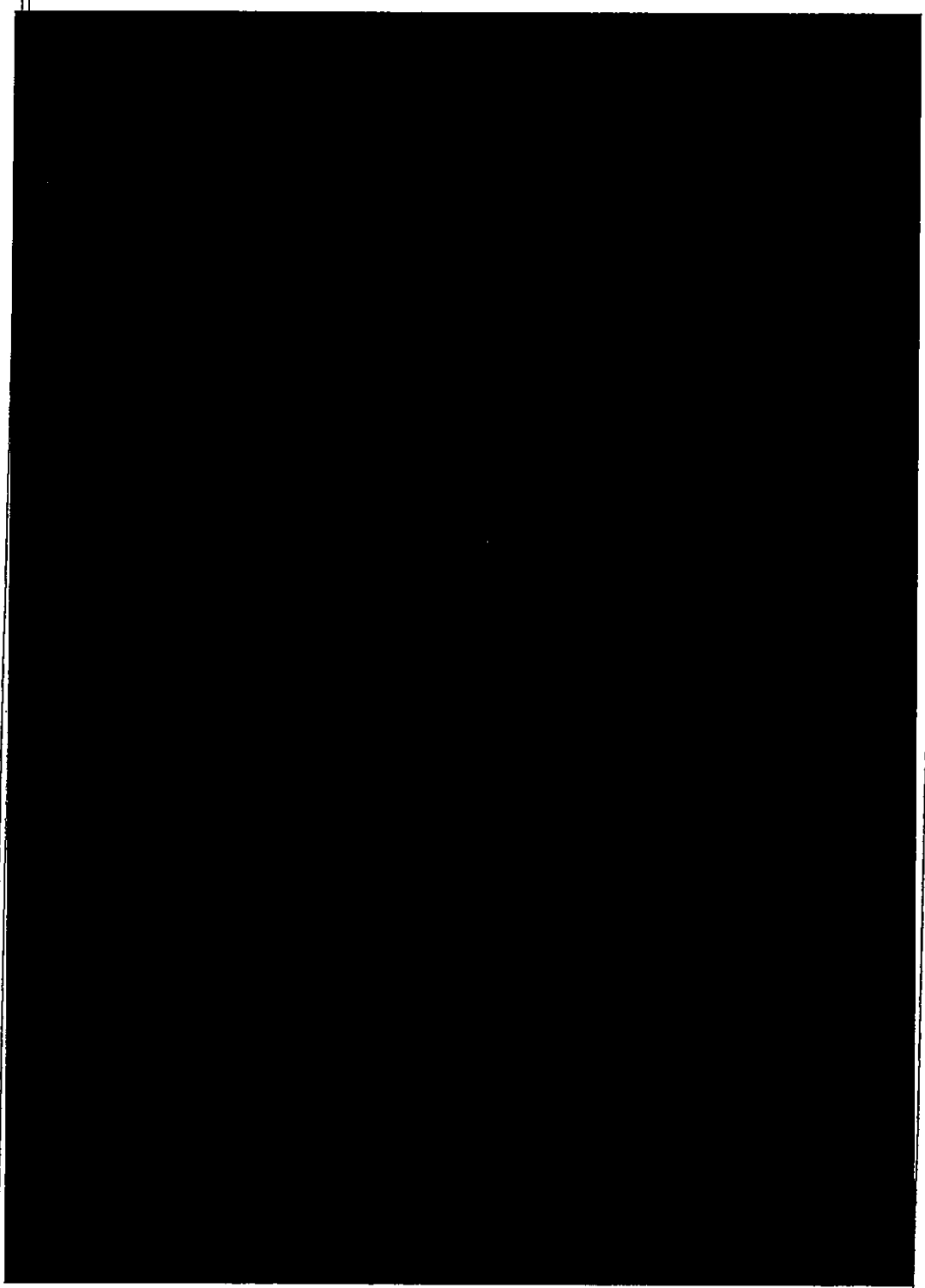
SEA GIRT BOARD OF EDUCATION
AND MANASQUAN BOARD OF
EDUCATION

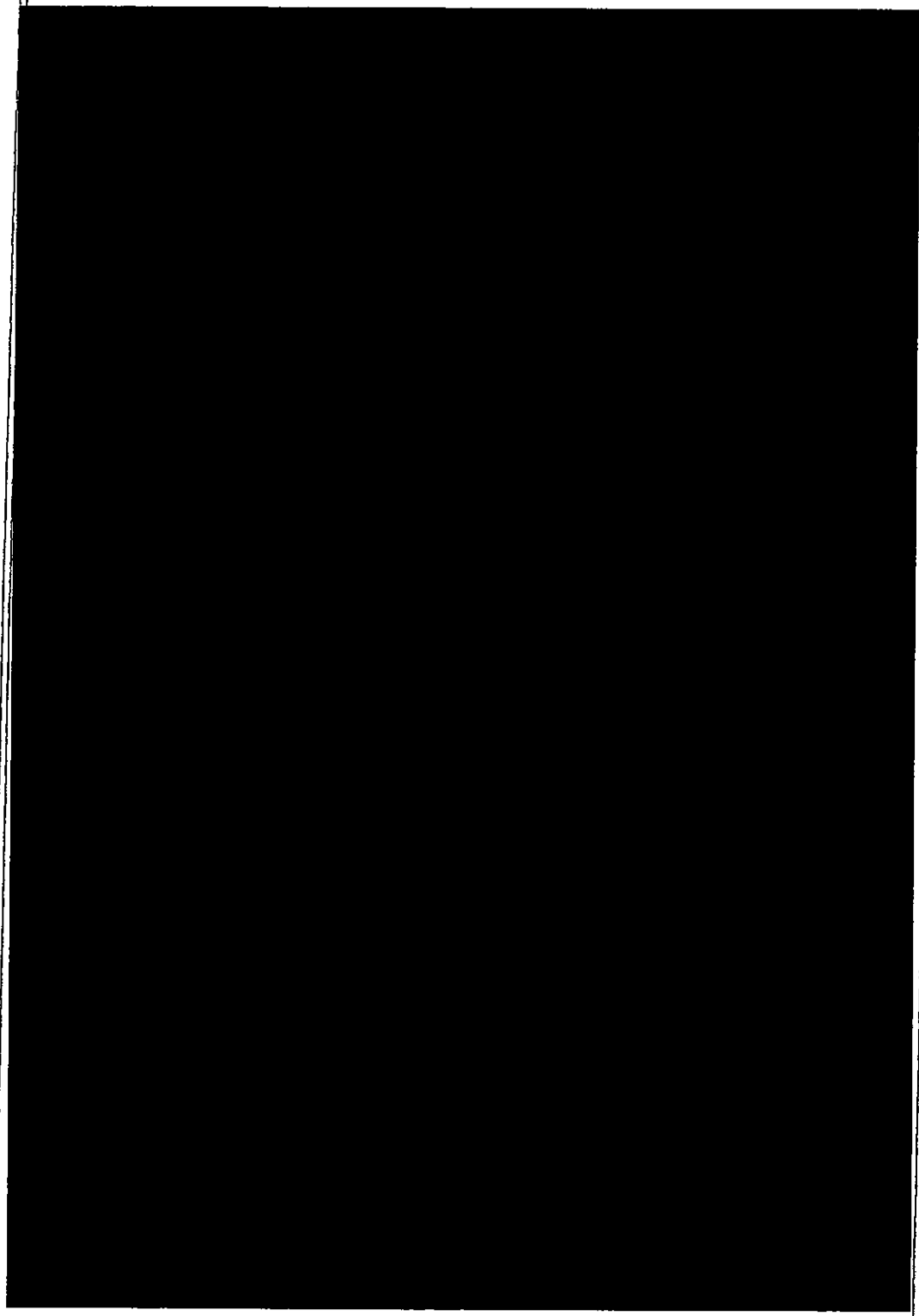
Respondents.

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
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OAL DKT. NO.: *EDS 9393-13*

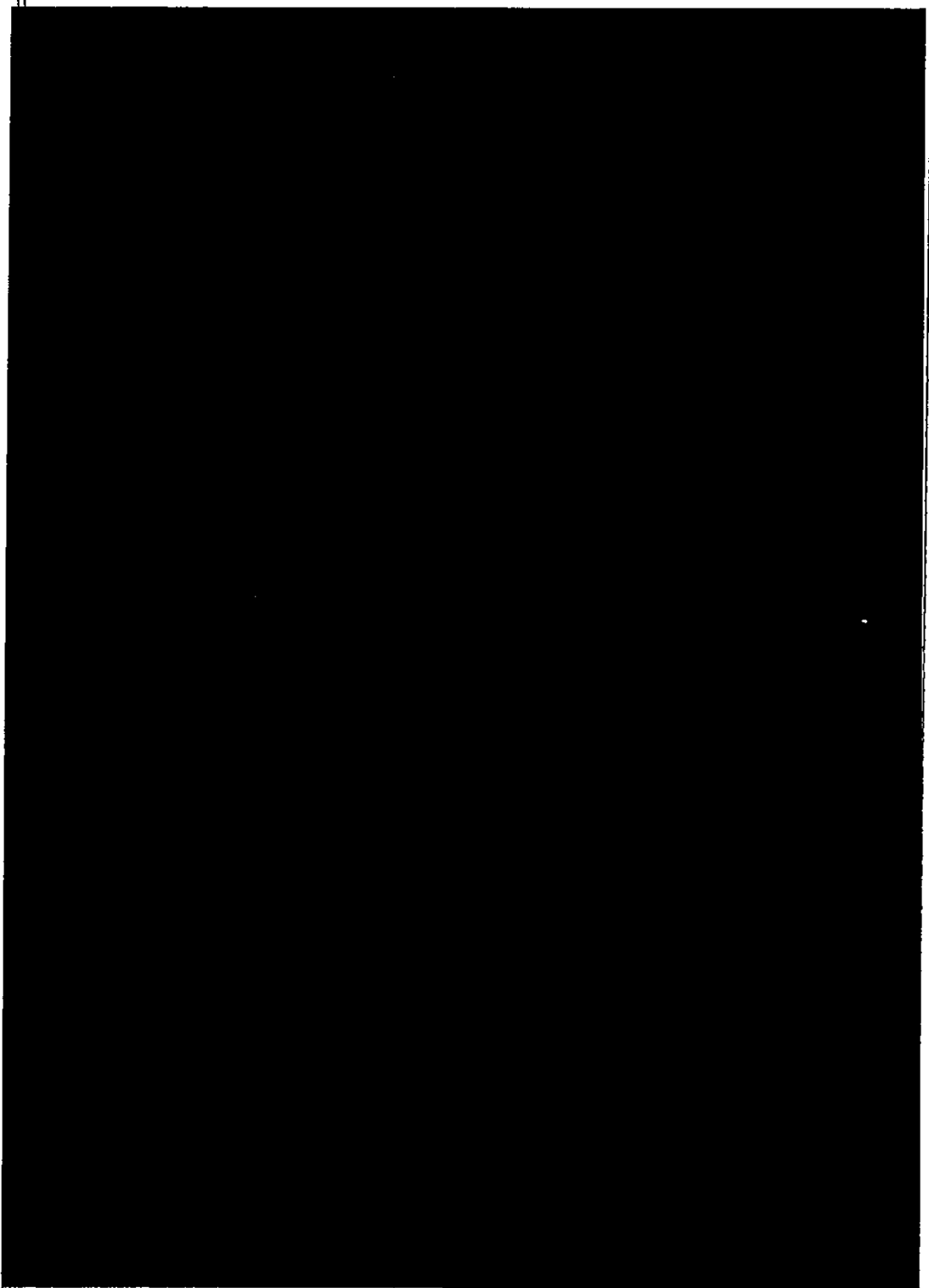
SETTLEMENT AGREEMENT

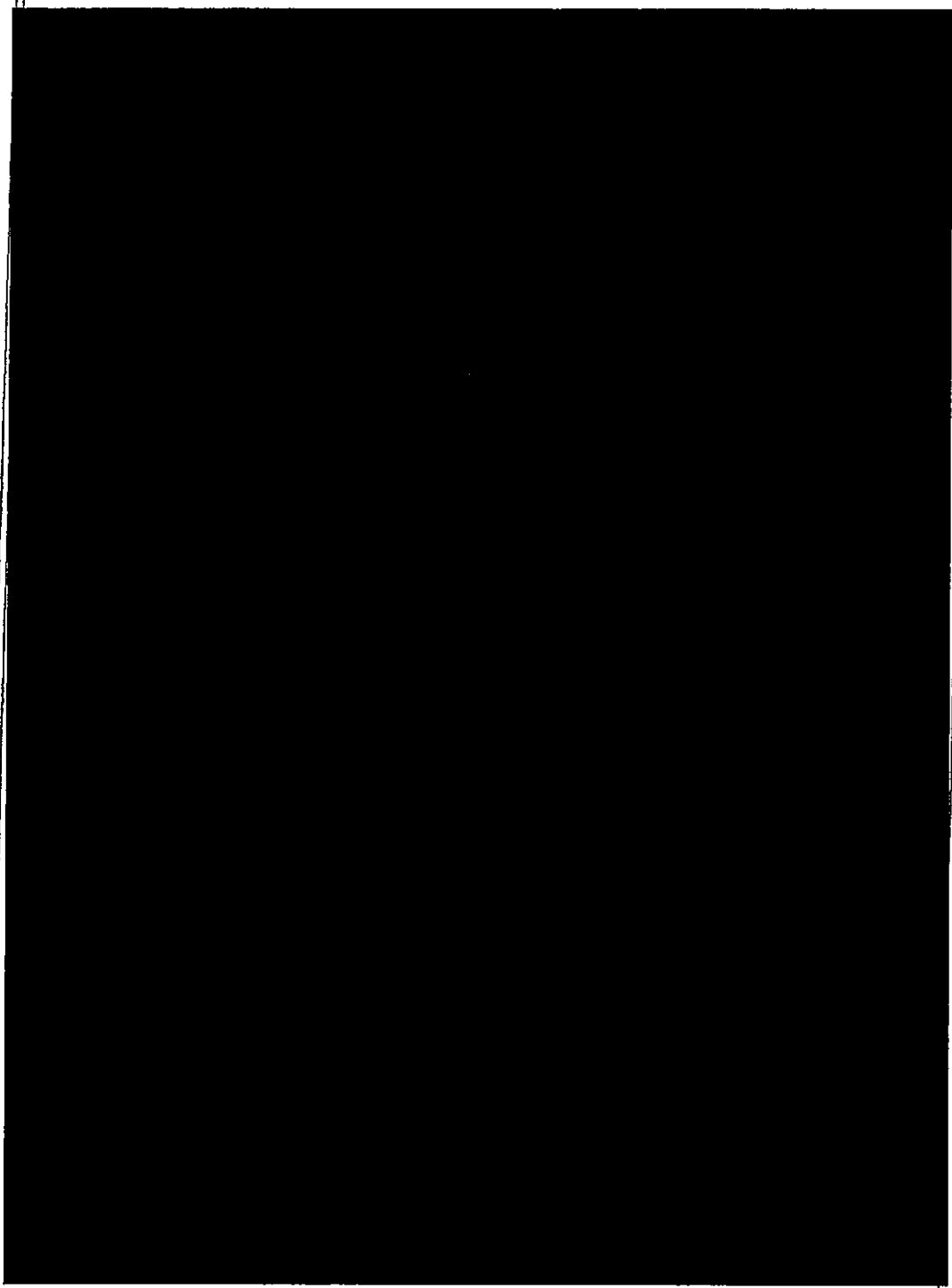




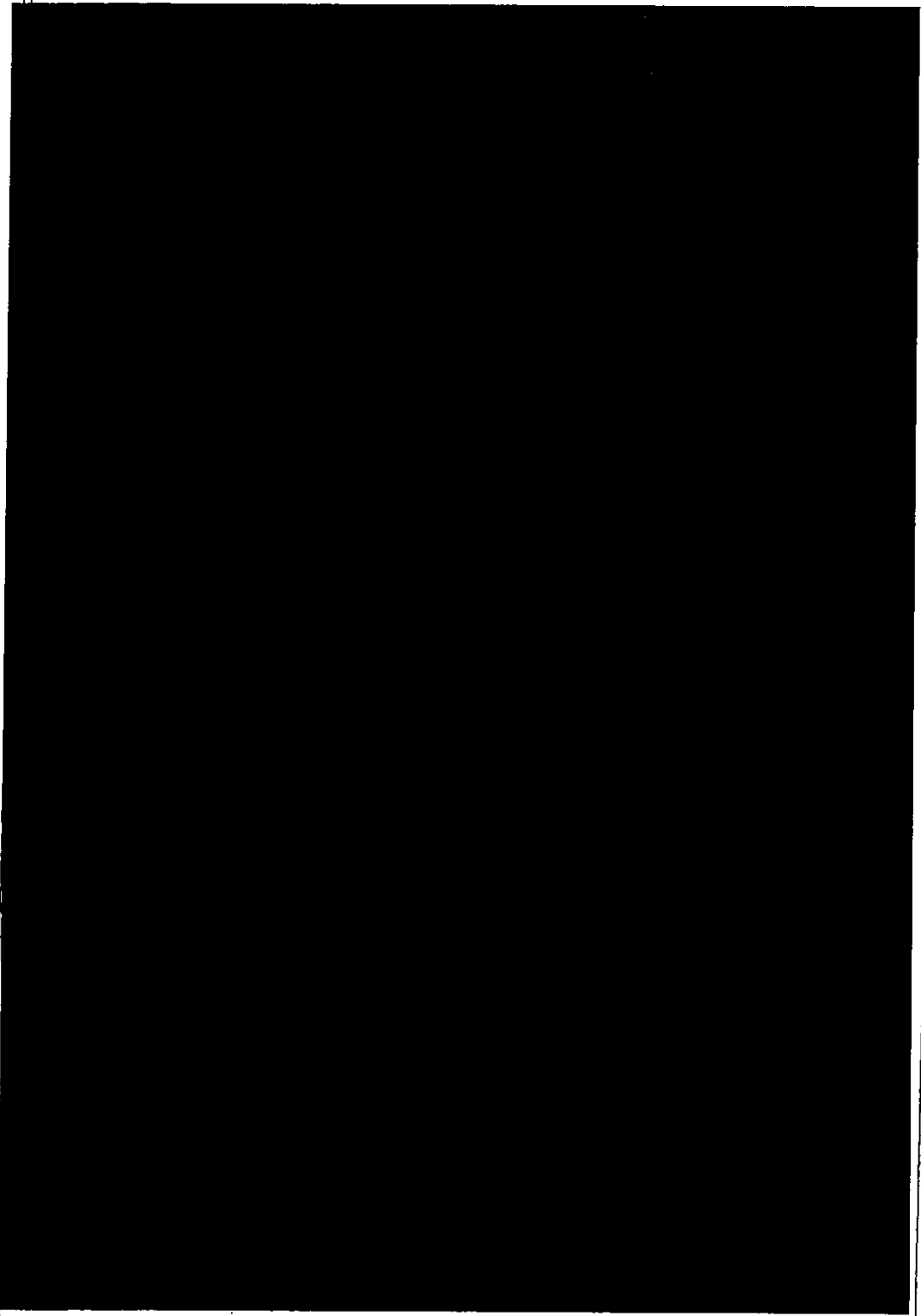


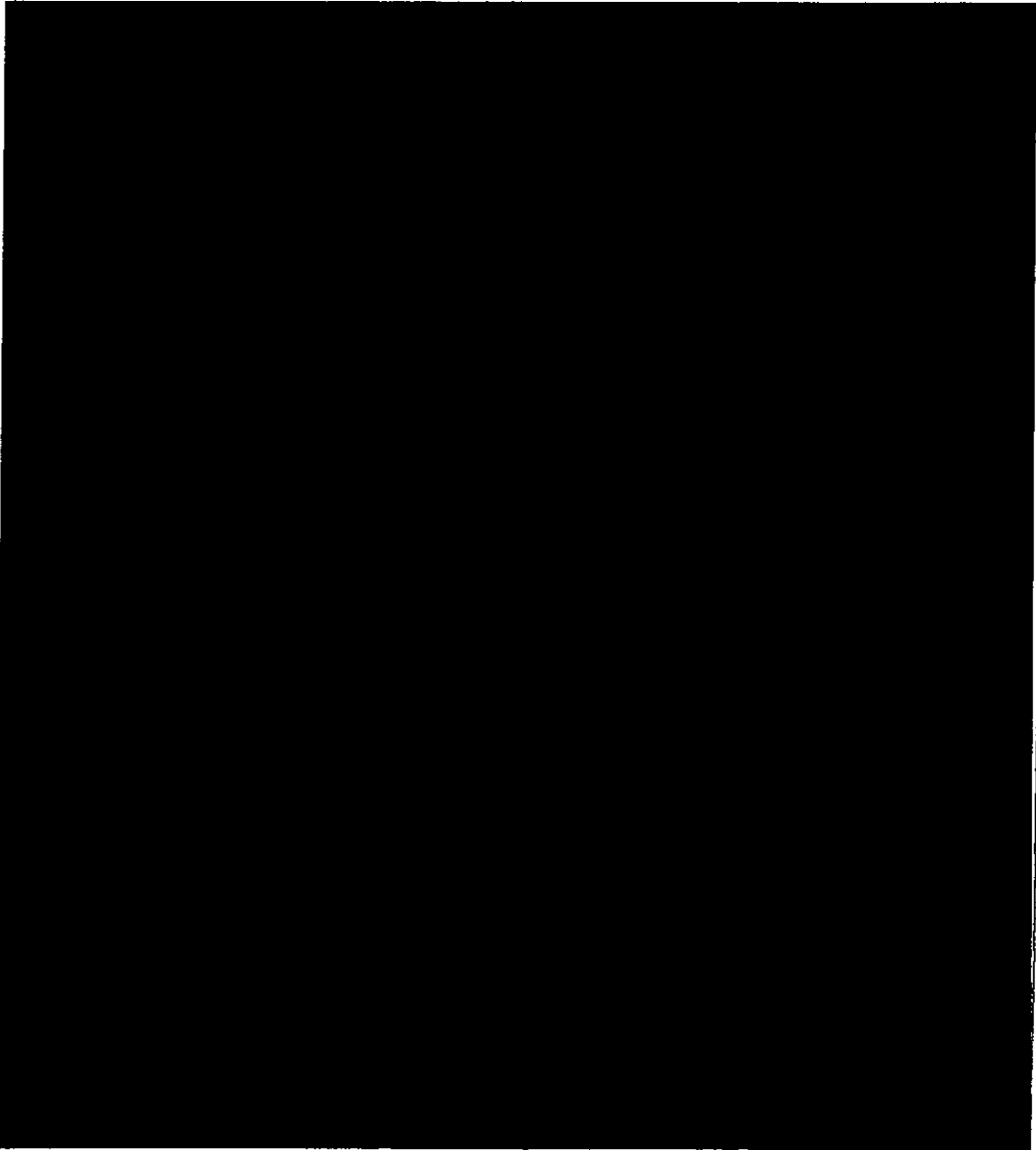
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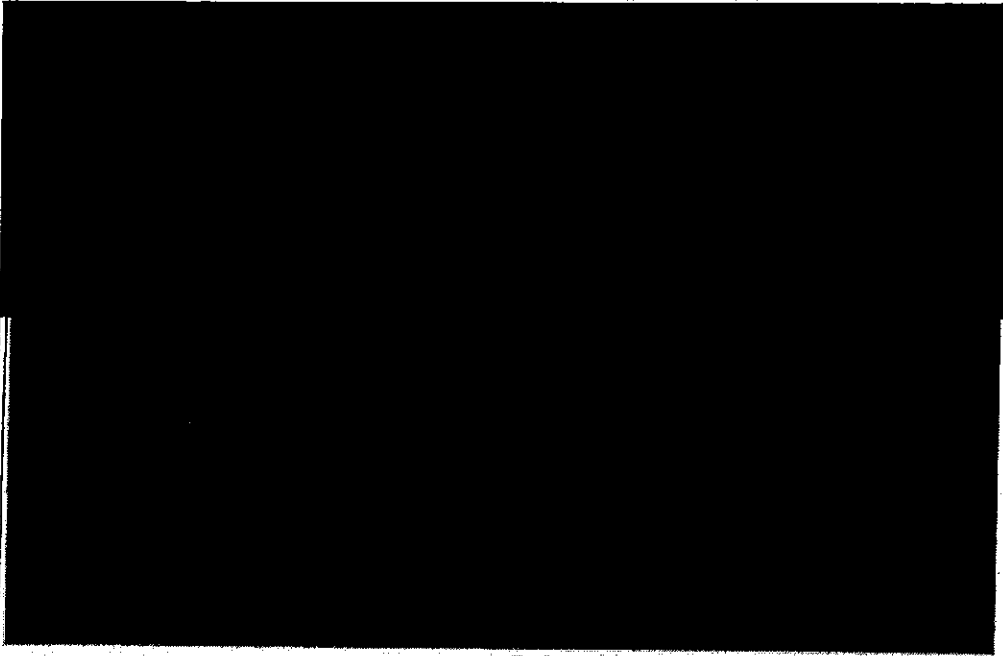
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Sea Girt Board of Education

By: Colleen Prior
Colleen Prior, President

DATED: 9/16/13

Nicole M. VanGorden
NICOLE M VAN GORDEN
Notary Public
State of New Jersey
My Commission Expires Dec 16, 2016