

JUL 23 2015

N JERSEY DEPARTMENT OF EDUCATION

**PARENTAL REQUEST FOR ENFORCEMENT OF A FINAL DECISION
ISSUED BY THE OFFICE OF ADMINISTRATIVE LAW**

Date: 7/21/15

To: Director
Office of Special Education
NJ Department of Education
P.O. Box 500
Trenton, NJ 08625-0500

Relationship to Student(s): (Check One)

Parent/Guardian Attorney Advocate

From: [Redacted]
(Name of person submitting the request)

Address: [Redacted]

Handwritten: Hill NJ 08034

Home: [Redacted] Fax: [Redacted] Email address: [Redacted]

Please Note: The Office of Special Education (OSE) must have a copy of the ALJ's decision before any action can be taken with respect to a request for enforcement.

Is a copy of the final decision (or Order) issued by the Administrative Law Judge (ALJ) included with this request?
 Yes No If not, is a copy being sent by separate mailing? Yes No *N/A*

What is the date of the ALJ's decision? 6/20/15

Subsequent to issuance of the decision, have the parties reached any agreements that modify the decision or the terms of the Order? Yes No (If yes, explain below)

Note: If any part of the decision is modified by subsequent agreement of the parties, enforcement may not be sought with respect to that part of the agreement.

When was the action that you are seeking to enforce directed to occur? June 29th 2015

Note: A request for enforcement must be made to the OSE no later than the 90th calendar day from the date that the action directed in the hearing decision that is the subject of the enforcement was required to have occurred. If your request is untimely, the OSE will not enforce the request.

Are you currently involved in, or have you recently requested, mediation, or a due process hearing or a complaint investigation? Yes No

If you have recently requested mediation or a due process hearing, what is the subject of the disagreement?

Briefly state the specific provision (identify the page and paragraph) of the hearing decision that you assert the education agency has failed to implement.

Page J-1 Paragraph (5) Labeled (1) on Bottom of Page:
"KB will be afforded instruction between June 29th - August 14, 2015 as follows by district personnel: 12 hours of instruction to complete all requirements for Chemistry class"

Upon a receipt of a request for enforcement, the OSE will forward a copy of the request to the district for response and, if appropriate, the opportunity to resolve the request with the parent. If the matter is not timely and satisfactorily resolved by the parties, however, the district will be directed to submit to the OSE evidence of compliance, whereupon, the OSE will determine the implementation of the decision. If it is determined that the district has failed to implement the decision, or part of the decision, the OSE shall order the district to implement the decision or part of the decision, as appropriate.

Signature: [Handwritten Signature]
(Person(s) Submitting Request)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

DECISION APPROVING
SETTLEMENT

OAL DKT. NO. EDS 8988-15

AGENCY DKT. NO. 2015 2291

22991

K.B. ON BEHALF OF K.B.,
Petitioner,

v

CHERRY HILL TOWNSHIP
BOARD OF EDUCATION,

Respondent.

K.B., petitioner pro se

Robin Ballard, Esq., for respondent (Schenck, Price, Smith & King, LLP,
attorneys)

Record Closed: June 26, 2015

Decided: June 26, 2015

BEFORE ROBERT BINGHAM II, ALJ:

This case arises under the Individuals with Disabilities Education Act, 20
U.S.C.A. §§1400 to 1482. The parties have voluntarily agreed to resolve all disputed
matters and have entered into a settlement as set forth in the attached document

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 Agreement (J-1). The agreement provides for additional educational instruction, resolving all issues raised by petitioner's request for emergent relief and his petition for due process.
2. Thus, the settlement fully disposes of all issues in controversy between the parties 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(f)(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.~~

June 26, 2015

DATE


 ROBERT BINGHAM II, ALJ

Date Received at Agency:

6/26/15

Date Sent to Parties:

6/26/15

APPENDIX
EXHIBITS

Joint

J-1 Settlement Agreement

For Petitioner:

None

For Respondent:

None

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

J-1

KB 0160 KB v. Cherry Hill Public School District

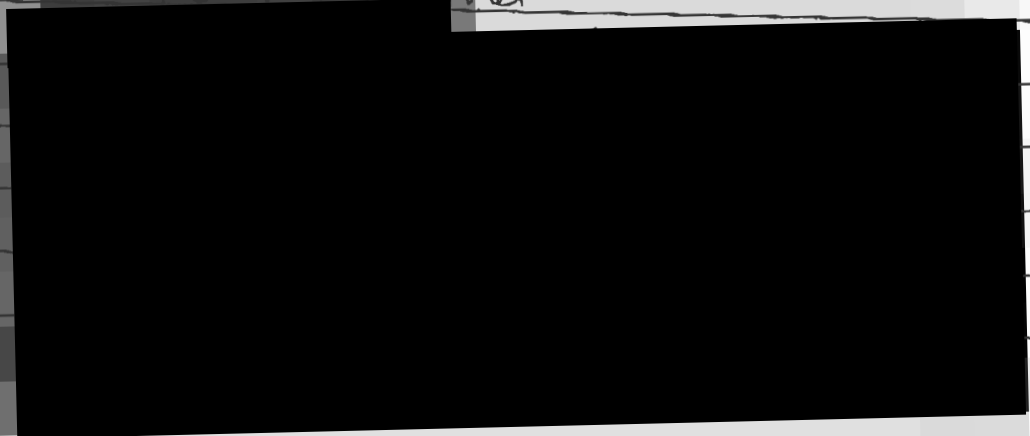
WHEREAS KB is a student eligible for Section 504 reasonable accommodations; and

WHEREAS the Cherry Hill Public School District is responsible for providing KB with an education; and

WHEREAS a dispute arose over KB's instruction and Petitioner requested due process and emergency relief; and

WHEREAS the parties wish to settle all pending matters amicably without the need for litigation and without either party admitting that any of their respective positions was anything less than valid; the parties hereby agree as follows:

- ① KB will be offered instruction between June 29, 2015 and August 14, 2015 as follows by district personnel:



② This resolves all issues with KB's education that were or could have been raised to date.

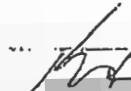
③ This Agreement was entered into freely, willingly and voluntarily without duress or coercion. Petitioner agrees that he understands the terms of this Agreement and how they affect his and KB's rights. Petitioner further acknowledges that he chose to execute this Agreement without the benefit of counsel.

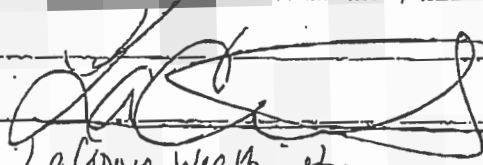
④ This Agreement shall be incorporated into a final order by the Honorable Robert Bingham, II and acts as a legal release to all claims as set forth herein.

⑤ It is agreed that neither party is a prevailing party.

Dated: June 26, 2015.

KB



K ■ B ■ individually and on behalf of KB


Laloyya Weathington
Director of Pupil Services