

Link to original [Word document](#)

*State of New Jersey*  
OFFICE OF ADMINISTRATIVE LAW

**DECISION AND ORDER**  
OAL DKT. NO. [EDS147-00](#)  
AGENCY DKT. NO. 00-3525

**BERLIN BOROUGH BOARD  
OF EDUCATION,**

**Petitioner,**

**v.**

**M.D., ON BEHALF OF M.B.,**

**Respondent.**

---

**Ronald W. Sahli , Esq., for the petitioner**

**Jamie Epstein , Esq., for the respondent**

**Record Closed: January 28, 2000**

**Decided: February 14, 2000**

**BEFORE ROBERT W. SCOTT , ALJ:**

**This matter coming before the undersigned on January 27, 2000, upon requests for emergent relief filed with the Office of Special Education, of the New Jersey Department of Education on January 7, 2000 by Ronald W. Sahli, Esq., the attorney for the petitioner, and on January 12, 2000 by Jamie Epstein, Esq., attorney for the respondent, and with both attorneys and their respective clients appearing before the undersigned, and the undersigned having considered the pleadings and the arguments of counsel and after careful consideration and for good cause shown;**

**It is on this \_\_\_\_ day of February 2000 ORDERED and directed that the parties do as follows:**

- 1. The undersigned having reviewed the pleadings filed by the parties and the parties having argued their essence before the undersigned, I hereby accept the documents in entering the within order;**
- 2. The petitioner shall on or before January 31, 2000 return M.B. to his placement within the petitioner's school district;**
- 3. The petitioner on or before January 31, 2000 shall provide M.B. with a one-on-one aide for a period of not less than two weeks. The primary duties of said aide shall be to assist**

- M.B. with integration, orientation and accommodation of M.B. back into his placement with the petitioner's school district;**
- 4. Before the end of the school day on January 28, 2000, the parties shall meet and develop a plan for the integration, orientation and accommodation of M.B. back into his placement within the petitioner's school district;**
  - 5. Effective January 27, 2000, the petitioner shall adopt the January 14, 2000 psychological report of Dr. Joseph Racite, as the psychological component of the child study team evaluation process and the parties shall proceed with said process to complete the evaluation;**
  - 6. The petitioner shall retain the right to obtain a psychological report of their own upon pending criminal charges that have been filed by the petitioner against M.B., having been heard by a court of competent jurisdiction.**

**The attorneys for the parties in this matter have consented to the form of this order.**

**This decision on application for emergency relief is final pursuant to 20 *U.S.C.A.* §1415(i)(1)(A) and 34 *CFR* §300.509 and is appealable by filing a complaint and bringing a civil action either in the Superior Court of New Jersey or in a District Court of the United States. [20 U.S.C.A. §1415\(i\)\(2\)](#), 34 *CFR* §300.511. If either party feels that this decision is not being fully implemented, this concern should be communicated in writing to the Director, Office of Special Education Programs.**

\_\_\_\_\_  
DATE                      ROBERT W. SCOTT, ALJ

jh

---

*This archive is a service of [Rutgers University School of Law - Camden](#)*