



**State of New Jersey**

DEPARTMENT OF EDUCATION  
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TRENTON, NJ 08625-0500

JON S. CORZINE  
Governor

November 21, 2006

LUCILLE E. DAVY  
Acting Commissioner

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Re: Laurie Coles v. Board of Education of the City of Bayonne, Hudson County, EDU 10535-06, Agency Dkt. No. 365-10/06

Dear Counsel:

Upon review of the record of this matter, including the audiotape of the proceedings conducted at the Office of Administrative Law and the Order of the Administrative Law Judge (ALJ), it appears that the ALJ has resolved this matter on the procedural grounds of untimeliness of the petition, notwithstanding that her decision was issued in the form of an Order.

The Commissioner is, therefore, treating this matter as an Initial Decision, pursuant to *N.J.A.C. 1:1-18.3*. As such, the parties are being afforded 13 days from the date of this letter to submit to this office, with a concurrent copy to opposing counsel and the ALJ, any exceptions to the ALJ's conclusion that this matter was untimely filed. Upon receipt of an adversary's submission, each party will then be afforded five (5) working days within which to file a reply.

Upon review of the parties' submissions, the Commissioner will issue her decision in this matter.

Very truly yours,

M. Kathleen Duncan, Director  
Bureau of Controversies and Disputes  
MKD/MH  
**VIA FACSIMILE AND REGULAR MAIL**  
c: Honorable Mumtaz Bari-Brown, ALJ  
Clerk, OAL