



---

2003 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

---

9-22-2003

## A.W. v. Jersey Cty Pub Sch

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/thirdcircuit\\_2003](https://digitalcommons.law.villanova.edu/thirdcircuit_2003)

---

### Recommended Citation

"A.W. v. Jersey Cty Pub Sch" (2003). *2003 Decisions*. 266.  
[https://digitalcommons.law.villanova.edu/thirdcircuit\\_2003/266](https://digitalcommons.law.villanova.edu/thirdcircuit_2003/266)

This decision is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2003 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

UNITED STATES COURT OF APPEAL  
FOR THE THIRD CIRCUIT

---

No. 02-2056

---

A.W.

v.

THE JERSEY CITY PUBLIC SCHOOLS;  
NEW JERSEY DEPARTMENT OF EDUCATION;  
\*JEFFREY V. OSOWSKI, former Director, Division of Special Education,  
in his official capacity;  
BARBARA GANTWERK, Director, Office of Special Education Programs;  
\*SILVIA ELIAS, former Executive Director of Pupil Personnel Services;  
PRISCILLA PETROSKY, Associate Superintendent for Special Education;  
JOHN IWANOWSKI; MARY HEPBURN; JOAN EDMISTON; DENISE BRAAK;  
MARY MACEACHERN;  
EDWARD FAUERBACH, Learning Disabilities Teacher-Consultants;  
NORMA CHRISOMALIS; GWENDOLYN JACKSON; LINDA COLON;  
RONNE BASSMAN; WILLIAM RONZITTI;  
ROXANNE JOHNSON, Supervisors of Special Education;  
\*SHARNETTE GREEN, Teacher;  
MELINDA ZANGRILLO, Coordinator of Compliance;  
JANE DOE AND JOHN DOE (1) - (5), all in their official  
and individual capacities,

United States of America,

Intervenor

New Jersey Department of Education;  
Jeffrey V. Osowski;  
Barbara Gantwerk;  
Melinda Zangrillo,

Appellant

\*(Amended in accordance with Clerk's Order dated 5/22/02)

---

On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil No. 01-cv-00140)  
District Judge: Hon. William G. Bassler

---

Argued April 1, 2003

BEFORE: MC KEE, SMITH and COWEN, Circuit Judges

(Filed: August 19, 2003 )

---

SECOND ORDER AMENDING SLIP OPINION

---

IT IS HEREBY ORDERED that the slip opinion filed August 19, 2003, be amended as follows:

Page 1; replace the caption in the slip opinion with the following caption:

“A.W.

v.

THE JERSEY CITY PUBLIC SCHOOLS;  
NEW JERSEY DEPARTMENT OF EDUCATION;  
\*JEFFREY V. OSOWSKI, former Director, Division of Special Education,  
in his official capacity;  
BARBARA GANTWERK, Director, Office of Special Education Programs;  
\*SILVIA ELIAS, former Executive Director of Pupil Personnel Services;  
PRISCILLA PETROSKY, Associate Superintendent for Special Education;  
JOHN IWANOWSKI; MARY HEPBURN; JOAN EDMISTON; DENISE BRAAK;  
MARY MACEACHERN;  
EDWARD FAUERBACH, Learning Disabilities Teacher-Consultants;  
NORMA CHRISOMALIS; GWENDOLYN JACKSON; LINDA COLON;  
RONNE BASSMAN; WILLIAM RONZITTI;  
ROXANNE JOHNSON, Supervisors of Special Education;  
\*SHARNETTE GREEN, Teacher;

MELINDA ZANGRILLO, Coordinator of Compliance;  
JANE DOE AND JOHN DOE (1) - (5), all in their official  
and individual capacities,

United States of America,

Intervenor

New Jersey Department of Education;  
Jeffrey V. Osowski;  
Barbara Gantwerk;  
Melinda Zangrillo,

Appellant

\*(Amended in accordance with Clerk's Order dated 5/22/02)\*; and

Page 2, add the appearance of "Ruth Deale Lowenkron, Esq." under the  
appearance of "Elizabeth A. Athos, Esq. (Argued)".

By the Court,

/s/ Robert E. Cowen

Circuit Judge

Dated: September 22, 2003

