

#313-16

J.S., on behalf of minor child, M.S., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE MORRIS : DECISION
SCHOOL DISTRICT, MORRIS COUNTY, :
RESPONDENT. :
_____ :

SYNOPSIS

Petitioner filed a *pro se* residency appeal on behalf of her daughter in May 2016, seeking a determination that M.S. is entitled to a free public education in the Morris School District. The matter was transmitted to the Office of Administrative Law (OAL) to ascertain petitioner's residency and the amount of any tuition due. A hearing was scheduled in the OAL for July 14, 2016. Petitioner failed to appear at the hearing, and offered no explanation for her non-appearance. The Board subsequently sent a letter to the OAL, stating, *inter alia*, that J.S. and M.S. had relocated to the Netherlands at the end of the school year. The Board further stated that it would not pursue any claim for tuition for the 2015-2016 school year.

Upon review, the Commissioner found that this matter is no longer deemed to be a contested case before the Commissioner, and dismissed the petition.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

August 30, 2016

OAL DKT. NO. EDU 7452-16
AGENCY DKT. NO. 116-4/16

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The record of this matter – transmitted to the Commissioner by the Office of Administrative Law (OAL) pursuant to *N.J.A.C.* 1:1-14.4 and including an advisement of petitioner’s failure to appear at the scheduled July 14, 2016 OAL hearing – has been reviewed. Petitioner filed no explanation for her failure to appear, notwithstanding the opportunity to do so. Accordingly, this matter is no longer deemed to be a contested case before the Commissioner and is hereby dismissed with prejudice.

IT IS SO ORDERED.¹

COMMISSIONER OF EDUCATION

Date of Decision: August 30, 2016

Date of Mailing: August 31, 2016

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1).