

156-17 (OAL Decision: Not available online)

S.R., ON BEHALF OF MINOR CHILD, Z.K., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE TOWNSHIP: DECISION
OF SOUTH ORANGE-MAPLEWOOD,
ESSEX COUNTY, :
RESPONDENT. :

SYNOPSIS

In December 2016, petitioner S.R. filed a *pro-se* residency appeal contesting the respondent Board's determination that Z.K. was not entitled to a free public education in South Orange-Maplewood Schools. A hearing date was scheduled for April 25, 2017.

The ALJ reported that prior to the hearing, respondent's attorney advised that Z. K. was withdrawn from the school district on April 6, 2017, and the Board was withdrawing its counterclaim for back tuition. After confirming with petitioner that Z.K. was no longer in the district, the ALJ concluded that this matter was no longer a contested case before the Office of Administrative Law. Accordingly, the ALJ ordered the petition dismissed.

Upon review, the Commissioner concurred with the ALJ's findings and conclusions, and adopted the Initial Decision of the OAL as the final decision in this matter for the reasons stated therein. The petition was dismissed.

<p>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.</p>

June 6, 2017

OAL DKT. NO. EDU 02179-17
AGENCY DKT. NO. 6-1/17

S.R., ON BEHALF OF MINOR CHILD, Z.K., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE TOWNSHIP: DECISION
OF SOUTH ORANGE-MAPLEWOOD,
ESSEX COUNTY, :
RESPONDENT. :

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties did not file exceptions.

Upon such review, the Commissioner is in accord with the ALJ's conclusion – for the reasons set forth in the Initial Decision – that this matter is no longer a contested case before the Commissioner. Petitioner has withdrawn Z.K. from the District and the Board has withdrawn its counterclaim for back tuition.

Accordingly, the Initial Decision is adopted as the final decision in this matter and the petition of appeal is hereby dismissed.

IT IS SO ORDERED.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision: June 6, 2017

Date of Mailing: June 6, 2017

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