

234-00

G.M., on behalf of minor niece, B.S.G., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF WEST ORANGE, ESSEX :
COUNTY, :
RESPONDENT. :

SYNOPSIS

Petitioner sought to compel respondent to provide his niece a free public education.

Petitioner failed to appear at the hearing of the matter and the ALJ, after hearing testimony of respondent's witness and considering the evidence presented, and having provided petitioner an opportunity to explain his failure to appear at the hearing, concluded that petitioner's niece was not entitled to a free education from respondent.

The Commissioner adopted as his own the recommendation of the ALJ dismissing the petition for the reasons set forth therein, and ordered that petitioner remit \$6,552.54 to the Board for tuition during the period of his niece's ineligible attendance at respondent's schools.

July 13, 2000

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The record and Initial Decision issued by the Office of Administrative Law have been reviewed. No exceptions were filed by the parties.

Upon review of the record, the Commissioner agrees with and adopts as his own the recommendation of the Administrative Law Judge (ALJ) dismissing the petition for the reasons set forth in the Initial Decision. Petitioner is, therefore, ordered to remit to the Board the sum of \$6,552.54, pursuant to *N.J.S.A. 18A:38-1(b)*, for tuition during the period of B.S.G.'s ineligible attendance in the West Orange School District.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: July 13, 2000

Date of Mailing: July 17, 2000

* This decision, as the Commissioner's final determination, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.