

82-00

DERON SCHOOL II, :
PETITIONER, : COMMISSIONER OF EDUCATION
V. : DECISION
NEW JERSEY STATE DEPARTMENT :
OF EDUCATION, OFFICE OF :
COMPLIANCE, :
RESPONDENT. :
_____ :

SYNOPSIS

Petitioning private school for disabled children appealed a state audit disallowing salary and fringe benefits costs of an uncertified teacher in calculating its 1994-95 tuition rate.

The ALJ upheld the audit determination, concluding that, pursuant to *N.J.A.C. 6:20-4.4(a)4* and 11, the Department correctly disallowed salary and fringe benefits costs for an uncertified teacher in calculating Deron's 1994-95 tuition rate and that delay in issuance of the teacher's certificate was attributable not to the Department but to the teacher, whose responsibility it was to submit the necessary documents required to obtain her certification.

The Commissioner adopted the Initial Decision for the reasons expressed therein, finding no cause to disturb the ALJ's findings and conclusions.

March 8, 2000

OAL DKT. NO. EDU 3057-98
AGENCY DKT. NO. 18-1/98

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

Upon careful and independent review of the record in this matter, the Commissioner finds no cause to disturb the findings and conclusions of the Administrative Law Judge. Accordingly, the Initial Decision is adopted for the reasons expressed therein.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: March 8, 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. 6:2-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.