

BOARD OF EDUCATION OF THE	:	
CITY OF NEW BRUNSWICK,	:	
MIDDLESEX COUNTY,	:	
	:	
PETITIONER,	:	COMMISSIONER OF EDUCATION
V.	:	
	:	DECISION
NEW JERSEY STATE DEPARTMENT OF	:	
EDUCATION, DIVISION OF	:	
FINANCE,	:	
	:	
RESPONDENT.	:	

SYNOPSIS

Petitioning school district challenged the rejection by the Department of Education of its Early Childhood Education Plan and concomitant funding request. The Department filed an answer, generally denying the allegations of the petition.

After common issues involving this and numerous other appeals were resolved by the Chief ALJ, petitioner advised the ALJ of the two remaining issues in this matter. Subsequently, petitioner informed the ALJ that it was challenging only the alleged denial of supplemental funding to provide temporary facilities for the District's early Childhood Education Programs. The Department then moved to dismiss the petition. After petitioner responded to the motion, the ALJ determined that, because petitioner's submissions failed to establish that it had specifically requested funds for temporary facilities for the 1999-2000 school year, such a request could not have been denied by the Department. As such, the ALJ recommended dismissal of the petition.

The Commissioner affirmed the decision of the ALJ for the reasons set forth therein. Petition was dismissed.

OAL DKT. NO. EDU 4320-99
AGENCY DKT. NO. 105-5/99

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

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

Date of Decision: January 22, 2001

Date of Mailing: January 22, 2001