

39-02

K.J. AND F.P., JR., on behalf of minor	:	
child, J.T.P.,	:	
	:	
PETITIONERS,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE	:	
TOWNSHIP OF UNION, UNION	:	DECISION
COUNTY,	:	
	:	
RESPONDENT.	:	
_____	:	

SYNOPSIS

Petitioning parents challenged the Board's residency determination.

The ALJ determined, based on the testimony presented and her credibility assessments, that petitioners' son was domiciled in the Board's District during the period in question and, thus, was entitled to a free education in the District.

The Commissioner affirmed the decision of the ALJ.

February 4, 2002

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.
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OAL DKT. NO. EDU 5171-01  
AGENCY DKT. NO. 137-5/01

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PETITIONERS,	:	
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V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE TOWNSHIP OF UNION, UNION COUNTY,	:	DECISION
	:	
RESPONDENT.	:	
_____	:	

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, and based on the Administrative Law Judge's (ALJ) credibility determinations, the Commissioner concurs that petitioners have demonstrated that J.T.P. was entitled to attend school in the Board's District, free of charge, through the end of the 2000-2001 school year, pursuant to *N.J.S.A.* 18A:38-1a.

Accordingly, the Initial Decision of the ALJ is adopted for the reasons expressed therein.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: 2/4/02

Date of Mailing: 2/5/02

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\* 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.