

OAL DKT. NO. EDU 6094-04  
AGENCY DKT. NO. 222-6/04

L.E.C., on behalf of minor child, J.C.,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE	:	DECISION
TOWNSHIP OF WESTAMPTON,	:	
BURLINGTON COUNTY,	:	
	:	
RESPONDENT.	:	
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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 filed no exceptions to the Initial Decision.

Upon careful and independent review of the record in this matter, and based on the Administrative Law Judge’s (ALJ) credibility assessments, *N.J.S.A.* 52:14B-10(c), the Commissioner agrees with the ALJ that petitioner has failed to sustain her burden of establishing that J.C. was a domiciliary of Westampton and, thus, entitled to a free public education in that District’s schools.

Accordingly, the Initial Decision of the OAL is adopted for the reasons expressed therein, and the within Petition of Appeal is dismissed. The Commissioner directs that petitioner pay the Board tuition for the period of J.C.’s ineligible attendance in its schools, February 9, 2004, to December 2, 2004, at the per diem rate of \$38.89.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: February 3, 2005  
Date of Mailing: February 3, 2005

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\* This decision 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.*