

#299-14 (OAL Decision: Not yet available online)

L.A.A., SR. on behalf of minor child	:	
L.A.A., JR.,	:	COMMISSIONER OF EDUCATION
PETITIONER,	:	DECISION
V.	:	
BOARD OF EDUCATION OF THE	:	
TOWNSHIP OF BLOOMFIELD,	:	
ESSEX COUNTY,	:	
RESPONDENT.	:	
_____	:	

SYNOPSIS

Petitioner appealed the determination of the respondent Board that his son, L.A.A., Jr., was not eligible for a free public education in the Bloomfield Township school district. The Board filed a counterclaim for tuition reimbursement. A hearing in this matter was held at the Office of Administrative Law in April 2014.

The ALJ found that – based on the representations of counsel for both parties – the issues of L.A.A. , Jr.’s residence and the Board’s claim for tuition reimbursement have been resolved. The ALJ concluded that the within matter is now moot, as the parties have settled their claims. Accordingly, the ALJ ordered the petition and counterclaim dismissed.

Upon review, the Commissioner concurred with the ALJ that the case may be dismissed as moot. Accordingly, both the petition and the respondent Board’s counterclaim for tuition were dismissed.

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.

July 17, 2014

OAL DKT. NO. EDU 14661-11
AGENCY DKT. NO. 341-11/11

L.A.A., SR. on behalf of minor child :
L.A.A., JR., :
 : COMMISSIONER OF EDUCATION
 PETITIONER, :
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 V. :
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 BOARD OF EDUCATION OF THE :
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 ESSEX COUNTY, :
 :
 RESPONDENT. :
 _____ :

Before the Commissioner is a controversy, initiated in November 2011, concerning the domicile of petitioner’s minor child, and the related question of whether the child was eligible for a free public education in respondent’s school district or whether petitioner owed the respondent Board tuition. Upon review of the record and Initial Decision of the Office of Administrative Law (OAL), the Commissioner concurs with the Administrative Law Judge (ALJ) that the case may be dismissed as moot.

The foregoing determination rests upon the ALJ’s representation that at an April 8, 2014 hearing in the OAL, the parties asserted that all issues between them had been resolved. Accordingly, both the petition and respondent’s counterclaim for tuition are hereby dismissed.

IT IS SO ORDERED.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision: July 17, 2014
Date of Mailing: July 17, 2014

¹ This decision may be appealed to Superior Court, Appellate Division, pursuant to *N.J.S.A.* 18A: 18A:6-9.1.