

EDU #2004-99
C # 71-99
C # 31-00
SB # 14-00

G.E.A., on behalf of minor child, J.G.A., :

PETITIONER-APPELLANT, :

V. : STATE BOARD OF EDUCATION

BOARD OF EDUCATION OF THE : DECISION
CITY OF ATLANTIC CITY,
ATLANTIC COUNTY, :

RESPONDENT-RESPONDENT. :

Decided by the Commissioner of Education, March 10, 1999

Decided by the Commissioner of Education, January 18, 2000

For the Petitioner-Appellant, G.E.A., pro se

For the Respondent-Respondent, Michael C. Epps, Esq.

The decision of the Commissioner of Education dated January 18, 2000, in which he determined that the petitioner was responsible to the Atlantic City Board of Education for tuition in the amount of \$9,149.40, is affirmed for the reasons expressed therein.¹ We observe in so doing that the petitioner has not challenged the Commissioner's

¹ The petitioner's notice of appeal, which was filed on February 15, 2000, also challenged the Commissioner's decision issued on March 10, 1999, in which he concluded that the petitioner was not domiciled in Atlantic City and, as a result, that his son was not entitled to a free public education in that district. The Commissioner remanded the matter to the Office of Administrative Law for further proceedings for the limited purpose of calculating the amount of tuition due and owing by the petitioner to the Atlantic City Board. On January 18, 2000, the Commissioner adopted the ALJ's calculation. Upon consideration of the late filing date of the petitioner's notice of appeal, see N.J.S.A. 18A:6-28, our Legal Committee determined that the petitioner could proceed to brief this matter solely on the merits of that portion of his appeal relating to the amount of tuition due to the Atlantic City Board as determined by the Commissioner in his decision of January 18, 2000.

calculation of the amount of tuition due, but, rather, maintains that he does not have the financial means to satisfy such an award. We note in that regard that this agency is not the proper forum for the petitioner to attempt to excuse his obligation to the Atlantic City Board on financial grounds.

Arnold G. Hyndman abstained.

July 5, 2000

Date of mailing _____