

455-01
 K.S.R. and E.D.R., on behalf of minor child, :
 E.D.R., Jr., :
 :
 PETITIONERS, :
 :
 V. :
 :
 BOARD OF EDUCATION OF THE TOWNSHIP :
 OF MONTAGUE, SUSSEX COUNTY, :
 :
 RESPONDENT. :
 _____ :

OAL DKT. NO. EDU 5301-00
 AGENCY DKT. NO. 138-5/00

COMMISSIONER OF EDUCATION

DECISION

D.L.B. and A.M.B., on behalf of minor child, :
 G.A.B., :
 :
 PETITIONERS, :
 :
 V. :
 :
 BOARD OF EDUCATION OF THE TOWNSHIP :
 OF MONTAGUE, SUSSEX COUNTY, :
 :
 RESPONDENT. :
 _____ :

SYNOPSIS

Petitioners in these consolidated actions challenged the Board’s determination not to renew its Inter-Local Services Agreement with the Sussex County Vocational Technical School, which provided an in-state school option for students in the district.

The ALJ granted the Board’s motion for summary decision, holding that the Board did not abuse its statutory discretion in determining not to renew the agreement.

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

November 19, 2001

<p>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.</p>

OAL DKT. NOS. EDU 5300-00 AND EDU 5301-00 (CONSOLIDATED)
AGENCY DKT. NOS. 111-4/00 AND 138-5/00

K.S.R. and E.D.R., on behalf of minor child, :
E.D.R., Jr., :
PETITIONERS, :
V. :
BOARD OF EDUCATION OF THE TOWNSHIP :
OF MONTAGUE, SUSSEX COUNTY, :
RESPONDENT. :
_____ :

OAL DKT. NO. EDU 5301-00
AGENCY DKT. NO. 138-5/00

COMMISSIONER OF EDUCATION

DECISION

D.L.B. and A.M.B., on behalf of minor child, :
G.A.B., :
PETITIONERS, :
V. :
BOARD OF EDUCATION OF THE TOWNSHIP :
OF MONTAGUE, SUSSEX COUNTY, :
RESPONDENT. :
_____ :

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. Petitioner K.S.R. filed timely exceptions pursuant to *N.J.A.C.*

1:1-18.4 and they were fully considered by the Commissioner in reaching his determination.¹

Upon his independent and careful review, the Commissioner concurs with the Administrative Law Judge, for the reasons clearly stated in his Initial Decision, that the Board's motion for summary decision is appropriately granted.

Accordingly, the Initial Decision of the OAL is affirmed and the instant Petitions of Appeal are hereby dismissed.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: November 19, 2001

Date of Mailing: November 26, 2001

¹ K.S.R.'s exceptions essentially reiterate arguments previously presented to the Administrative Law Judge below which were addressed and considered by him in the Initial Decision.

² This decision, as the Commissioner's final determination may be appealed to the State Board of Education pursuant to *N.J.S.A.* 18A:6-2-1.1 *et seq.* Commissioner decisions are deemed filed three days after the date of mailing to the parties.