

PAUL S. NATANSON, :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 BOARD OF EDUCATION OF THE : DECISION
 TOWNSHIP OF PEQUANNOCK, :
 MORRIS COUNTY, :
 :
 RESPONDENT. :
 :
 _____ :

SYNOPSIS

Petitioner, resident of Bernards Township (Basking Ridge) in Somerset, County, sought an order requiring the Pequannock Board in Morris County (Board) to make candidates for school employment pay the cost of conducting criminal background checks. He contended that the Board’s practice of paying the fee itself violated state statutes.

The ALJ found that petitioner was not a resident of either Pequannock Township or Morris County; he paid no taxes to Pequannock Township; he never worked for the Board or applied to the Board for employment. Moreover, petitioner offered no actual facts to support his theory that he was being harmed indirectly “through the state tax system.” The ALJ concluded that the petition should be dismissed for lack of standing.

The Commissioner adopted the findings and determination in the Initial Decision as his own.

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.

OAL DKT. NO. EDU 1848-03
AGENCY DKT. NO. 19-1/03

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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 his full and independent review, the Commissioner concurs with the findings and conclusion of the Administrative Law Judge that petitioner's appeal in this matter must be dismissed for lack of standing.

Accordingly, the Initial Decision of the OAL is adopted for the reasons clearly stated therein. The instant Petition of Appeal is hereby dismissed.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: August 8, 2003
Date of Mailing: August 11, 2003

* 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.*