

#465-04

OAL DKT. NO. EDU 6226-04

(ON REMAND EDU 2730-04)

OAL Decision: [http://lawlibrary.rutgers.edu/oal/html/initial/edu06226-04\\_1.html](http://lawlibrary.rutgers.edu/oal/html/initial/edu06226-04_1.html)

AGENCY DKT. NO. 60-2/04

J.J., on behalf of minor children, K.G.J. and K.G.J., :  
: PETITIONER, :  
V. : COMMISSIONER OF EDUCATION  
BOARD OF EDUCATION OF THE TOWNSHIP : DECISION  
OF EWING, MERCER COUNTY, :  
RESPONDENT. :  
\_\_\_\_\_ :

The record of this matter, which was remanded to the Office of Administrative Law (OAL) for supplementation with respect to the amount of tuition claimed by the Board as a consequence of the ineligible attendance of petitioner’s two children in its schools during the 2003-04 school year, and the Initial Decision of the OAL have been reviewed. Pursuant to the Certification of the Board’s Attendance/Residency Officer, David Mikalauskas, petitioner’s two children each attended District schools for 195 days, for a total of 390 days of ineligible attendance at a per diem rate of \$51.76, for a total amount of tuition due and owing of \$20,186.40.

Accordingly, the Initial Decision of the OAL is adopted. Petitioner is hereby directed to pay the Board of Education of the Township of Ewing \$20,186.40 for the period of his two children’s ineligible attendance in the Board’s schools.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: November 17, 2004

Date of Mailing: November 18, 2004

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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.*