

C.M., :
PETITIONER, :
V. :
BOARD OF EDUCATION OF THE :
FREEHOLD REGIONAL HIGH SCHOOL :
DISTRICT, MONMOUTH COUNTY, :
RESPONDENT, : COMMISSIONER OF EDUCATION
AND DECISION
BOARD OF EDUCATION OF THE :
FREEHOLD REGIONAL HIGH SCHOOL :
DISTRICT, MONMOUTH COUNTY, :
PETITIONER, :
V. :
B.M. AND C.M. :
RESPONDENTS. :

SYNOPSIS

Petitioner, an 18-year-old high school senior, filed a *Pro Se* Residency Appeal challenging the Board's residency determination that he was not eligible for a free education in the Freehold Regional High School District. The Board subsequently filed a separate petition against C.M. and his mother, B.M., seeking tuition reimbursement for the full 2005-2006 school year. C.M. asserted that he was domiciled with friends within the Board's district while completing his senior year at Howell High School.

The ALJ found that: B.M. admitted she and her son moved out-of-district in the summer of 2005; C.M. was using a Spring Lake address for voter registration and motor vehicle records during the winter and spring of 2006; C.M. and B.M. are responsible for the full tuition for the 2005-2006 school year as they were not domiciled in district; and C.M.'s financial responsibility for tuition accrued from his 18th birthday on December 18, 2005. The ALJ ordered C.M. and B.M. to reimburse the Board in the amount of \$8,868.

Upon careful and independent review of the record, the Commissioner concurs with the findings and conclusions set forth by the ALJ. The Initial Decision of the OAL is adopted as the final decision in this matter, and C.M. and B.M. are directed to reimburse the Board in the amount of \$8,868.

<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>

September 21, 2006

OAL DKT. NO. EDU 2564-06 and EDU 4396-06 (CONSOLIDATED)
AGENCY DKT. NOS. 126-3/06 and 208-6/06

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The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. No exceptions were filed by the parties.

Upon such review, the Commissioner fully concurs with the findings and conclusions clearly set forth by the Administrative Law Judge, with respect to both the due process and fair notice provided to B.M. and C.M. throughout this proceeding and C.M.'s lack of entitlement to a free public education in the Board's schools during the 2005-06 school year.

Accordingly, the Initial Decision of the OAL is adopted for the reasons expressed therein, and C.M. and B.M. are directed to reimburse the Freehold Regional Board of Education \$8,868 in payment of tuition for the period of C.M.'s ineligible attendance.

IT IS SO ORDERED.*

ACTING COMMISSIONER OF EDUCATION

Date of Decision: September 21, 2006

Date of Mailing: September 22, 2006

* 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.*