

BOARD OF EDUCATION OF THE :
BOROUGH OF CHESILHURST, :
CAMDEN COUNTY, :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF WINSLOW, :
CAMDEN COUNTY, :
RESPONDENT. :

SYNOPSIS

Petitioning district sought severance of its sending relationship with the respondent receiving district, and return of its pre-kindergarten through sixth grade students to the Shirley B. Foster Elementary School – which is located in Chesilhurst.

The ALJ found that: the claims in this matter – which are non-financial in nature and deal with the termination of the sending-receiving relationship between the petitioner and the respondent – are appropriately dismissed as a consequence of a referendum on the November 2011 General Election Ballot in the Borough of Chesilhurst, wherein the community voted 77 to 58 to continue to send Chesilhurst kindergarten through sixth grade students to Winslow Township Public Schools; the outcome of this referendum has rendered petitioner’s appeal moot. Accordingly, the ALJ ordered the petition dismissed.

The Commissioner concurred with the ALJ’s findings and conclusion, and accordingly adopted the Initial Decision of the OAL as the final decision in this matter. The petition was dismissed.

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 4457-10
AGENCY DKT. NO. 98-5/10

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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 did not file exceptions to the Initial Decision.

Upon full consideration, the Commissioner concurs that the claims in this matter – which are non-financial in nature and deal with the termination of the sending-receiving relationship between petitioner Chesilhurst and respondent Winslow – are appropriately dismissed. In this regard, the Commissioner notes that the Administrative Law Judge and the parties agree that – as a consequence of the referendum on the November 8, 2011 General Election Ballot in the Borough of Chesilhurst, where the voters were asked: “Do you wish to continue to send Chesilhurst Kindergarten through Sixth Grade students to Winslow Public Schools? Yes___ No___,” and, as confirmed by the Official Results Report, such question received 77 Yes votes and 58 No votes – this matter has been rendered moot.

Accordingly, the recommended decision of the OAL is adopted as the final decision in this matter and the instant Petition of Appeal is hereby dismissed.

IT IS SO ORDERED.*

ACTING COMMISSIONER OF EDUCATION

Date of Decision: April 17, 2012

Date of Mailing: April 18, 2012

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36* (*N.J.S.A. 18A:6-9.1*).