

P.S., on behalf of her minor son, B.G., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF HAMILTON,
MERCER COUNTY, :
RESPONDENT. :
_____ :

SYNOPSIS

Petitioning parent sought to have her son admitted to the County Alternative School.

ALJ determined that under the present circumstances, petitioner could not claim entitlement which would compel the Board to place B.G. at the Alternative High School and that the Board's refusal to do so was not arbitrary, capricious or unreasonable. Petition was dismissed.

Commissioner adopted findings and determination in initial decision as his own.

MAY 15, 1998

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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 his careful and independent review, the Commissioner concurs with the findings and conclusion of the Administrative Law Judge that, under the circumstances existing in this matter, petitioner can claim no entitlement which might compel the Board to place her minor child, B.G., in a special placement at the Alternative High School and, therefore, its refusal to do so is not arbitrary, capricious or unreasonable.

Accordingly, the recommended decision of the OAL is adopted as the final decision in this matter for the reasons articulated therein and the within Petition of Appeal is hereby dismissed.*

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

MAY 15, 1998

* This decision, as the Commissioner's final determination in the instant matter, 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. 6:2-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.