

173-01

D.R.P., on behalf of minor children, J.P. and J.P., :  
PETITIONER, :  
V. : COMMISSIONER OF EDUCATION  
BOARD OF EDUCATION OF THE : DECISION  
TOWNSHIP OF WAYNE, PASSAIC :  
COUNTY, :  
RESPONDENT. :  
\_\_\_\_\_ :

SYNOPSIS

Petitioning parent challenged the Board's residency determination that her sons were not domiciled in Wayne and not entitled to a free public education there. The Board counterclaimed for tuition owed.

A settlement agreement was drawn up and the parties complied with the terms even though the agreement was never executed by petitioner. The ALJ concluded that all the issues in the matter were resolved and ordered the petition and counterclaim dismissed with prejudice.

The Commissioner agreed with the recommendation of the ALJ and dismissed the petition.

June 4, 2001

OAL DKT. NO. EDU 7323-00  
AGENCY DKT. NO. 182-6/00

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The record and Initial Decision issued by the Office of Administrative Law have been reviewed. No exceptions were filed by the parties.

Upon review, the Commissioner agrees with the recommendation of the Administrative Law Judge dismissing the petition for the reasons stated in the Initial Decision.

Accordingly, the Petition of Appeal is hereby dismissed with prejudice.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: June 4, 2001

Date of Mailing: June 4, 2001

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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.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.