

A.D., on behalf of minor child, N.A.D., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
BOROUGH OF NORTH PLAINFIELD,
SOMERSET COUNTY, :
RESPONDENT. :

SYNOPSIS

Petitioner challenged the Board's determination that her child was not domiciled in the District and its demand for tuition from petitioner.

The ALJ determined that petitioner's child had been entitled to a free public education until December 31, 1999 because of a family hardship but was not entitled to a free education in the District after that time. The ALJ ordered payment of tuition to the Board.

The Assistant Commissioner affirmed the decision of the ALJ and ordered petitioner to pay the District tuition in the amount of \$4,740.

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The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed by the Assistant Commissioner, to whom this matter has been delegated pursuant to N.J.S.A. 18A:4-34. The parties did not file exceptions.

Upon careful and independent review of the record in this matter, the Assistant Commissioner concurs with the Administrative Law Judge's finding that N.A.D. was entitled to a free public education in respondent's district until December 31, 1999, based on family hardship. The Assistant Commissioner further concurs that, after December 31, 1999, family hardship no longer existed and, therefore, petitioner is responsible for N.A.D.'s tuition in the amount of \$4,740 for the period of N.A.D.'s ineligible attendance from January 2000 through the end of the school year.

Accordingly, the Initial Decision is adopted for the reasons expressed therein.

IT IS SO ORDERED. *

ASSISTANT COMMISSIONER

Date of Decision: March 2, 2001

Date of Mailing: March 6, 2001

* 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. 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.