

P.G., on behalf of minor child, J.B., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE CITY : DECISION
OF CLIFTON, PASSAIC COUNTY, :
RESPONDENT. :
_____ :

SYNOPSIS

Petitioning uncle challenged the Board's residency determination that his nephew from Ecuador was not entitled to a free public education in the Clifton School District.

The ALJ concluded that petitioner carried the burden of proof by a preponderance of the evidence in regard to confirmation of domicile in the District and the existence of family and economic hardship pursuant to *N.J.S.A.* 18A:38-1b(1). The ALJ concluded that petitioner's nephew was an affidavit pupil and had the right to a free education in the public schools of Clifton.

The Commissioner adopted the findings and determination in the Initial Decision as his own.

August 1, 2002

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.G., on behalf of minor child, J.B., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE CITY : DECISION
OF CLIFTON, PASSAIC COUNTY, :
RESPONDENT. :
_____ :

The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. The parties did not file exceptions.

Upon careful and independent review of the record in this matter, the Commissioner concurs that petitioners have demonstrated that J.B. is entitled to attend school in the Board's district, free of charge, pursuant to *N.J.S.A.* 18A:38-1b(1).

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

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: August 1, 2002

Date of Mailing: August 1, 2002

* This decision, as the Commissioner's final determination, 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.

