

#459-04
OAL DKT. NO. EDU 5043-04
OAL Decision: http://lawlibrary.rutgers.edu/oal/html/initial/edu05043-04_1.html
AGENCY DKT. NO. 139-4/04

L.W., on behalf of minor child, J.W., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF BLOOMFIELD,
ESSEX 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, the Commissioner concurs that this matter is properly dismissed, inasmuch as petitioner failed to appear for the hearing and carry her burden of proving that J.W. was entitled to a free public education in respondent's district.

Accordingly, the Initial Decision is adopted for the reasons expressed therein. The Commissioner directs that petitioner remit to the Board the amount of \$2,978.50 for tuition from March 1, 2004 until June 17, 2004, the period of J.W.'s ineligible attendance in the district.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: November 15, 2004

Date of Mailing: November 16, 2004

* 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.*