

OAL DKT. NO. EDU 16510-12
AGENCY DKT. NO. 312-10/12

M.H. on behalf of minor children, M.L.,	:	
J.L. AND X.L.,	:	COMMISSIONER OF EDUCATION
	:	
PETITIONER,	:	DECISION
	:	
V.	:	
	:	
BOARD OF EDUCATION OF THE	:	
BOROUGH OF BOGOTA,	:	
BERGEN COUNTY,	:	
	:	
RESPONDENT.	:	
_____	:	

The matter before the Commissioner was instituted as a challenge to respondent’s determination that petitioner’s children were not domiciled in Bogota and consequently ineligible for a free education in respondent’s school district. The case was transmitted to the Office of Administrative Law (OAL) on December 14, 2012, and on May 8, 2013 the parties disclosed to the assigned Administrative Law Judge (ALJ) that they had settled all issues. Counsel for respondent advised that after respondent’s Board approved the settlement, he would submit a settlement document executed by both parties.

In the Initial Decision, the ALJ indicates that no settlement agreement was ever provided to her, and that respondent’s counsel had at some point represented to her that petitioner had not responded to his requests that she sign the agreement. Since petitioner withdrew her children from respondent’s schools and would not sign the settlement, respondent – according to the ALJ – asked that the petition be dismissed. On November 14, 2014, the ALJ

issued a decision recommending such a dismissal, and the Commissioner concurs with the recommendation.

Accordingly, the petition is dismissed and no further relief is warranted.

IT IS SO ORDERED.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision: December 23, 2014

Date of Mailing: December 23, 2014

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36, N.J.S.A. 18A:6-9.1*.