

18-18 (OAL Decision: Not available online)

G.G., ON BEHALF OF MINOR CHILD, N.G., :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE BOROUGH : DECISION
OF FAIR LAWN, BERGEN COUNTY. :
RESPONDENT. :
_____ :

SYNOPSIS

In June 2017, *pro se* petitioner appealed the determination of the respondent Board that her child, N.G., is not entitled to a free public education in Fair Lawn schools. Petitioner subsequently retained counsel to represent her in this matter. Petitioner contended that she owns a home in Fair Lawn where she and her son are legally domiciled, but maintains an office in the out-of-district home of her husband, where she spends her workday. The Board argued that G.G. is not legally domiciled within the Fair Lawn school district. Prior to a scheduled hearing at the OAL, the parties reached an amicable resolution in this matter, and advised the ALJ that the respondent Board had agreed not to challenge the eligibility of N.G. to attend school in the Fair Lawn school district.

Accordingly, the ALJ issued an Initial Decision in which she concluded that this matter is no longer a contested case before the OAL; the ALJ ordered the matter dismissed.

Upon review, the Commissioner concurred with the ALJ's conclusion, and adopted the Initial Decision of the OAL as the final decision in this matter.

<p>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>

January 25, 2018

OAL DKT. NO. EDU 09889-17
AGENCY DKT. NO. 108-6/17

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

Upon such review, the Commissioner is in accord with the ALJ's conclusion – for the reasons set forth in the Initial Decision – that this matter is no longer a contested case before the Commissioner. The Board is permitting the minor child to attend school in the district at no expense, so long as he is domiciled in Fair Lawn.

Accordingly, the Initial Decision is adopted as the final decision in this matter and the petition of appeal is hereby dismissed.

IT IS SO ORDERED.¹

ACTING COMMISSIONER OF EDUCATION

Date of Decision: January 25, 2018
Date of Mailing: January 25, 2018

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