#### 22-19

J.A., on behalf of minor children, A.A. and T.A.,	:	
Petitioner,	:	Commissioner of Education
V.	:	Decision
Board of Education of the Township of Hamilton, Mercer County,	:	
Respondent.	:	

#### **Synopsis**

*Pro se* petitioner appealed the determination of the respondent Board that her child, A.A., was not entitled to a free public education in Hamilton Township schools. The matter concerning petitioner's other minor child, T.A., was resolved prior to hearing, and is not included herein. Petitioner contended that she is domiciled with her children in Hamilton and is separated from T.A., the children's father, who lives in Trenton. The Board argued that a residency investigation indicated that J.A. is not domiciled in Hamilton Township. Petitioner asserted that she and the children are legally domiciled in Hamilton, but because of her work schedule, she often relies on T.A. to assist with childcare. Petitioner sometimes works night shifts, during which the children sleep at their father's home in Trenton. A hearing in this matter was held in October 2018, and an Initial Decision was issued thereafter.

The ALJ found, *inter alia*, that: petitioner produced substantial evidence of her residence in Hamilton, including government-issued identification and court records; petitioner credibly testified that she relies upon T.A.'s assistance with child care, and during the times that T.A. is caring for his children, they are at T.A.'s house in Trenton; otherwise, J.A. is the primary caretaker of the children; there is no evidence that this child care arrangement alters the domicile of J.A. and her children; the Board's argument that the residency investigation establishes that A.A. resides at the Trenton address rather than the Hamilton address is without merit, as A.A. was seen exiting T.A.'s Trenton house only eleven times over a period of sixty-three school days, and the Hamilton address was surveilled on only two occasions; the evidence is insufficient to support a finding that A.A. resided in Trenton. The ALJ concluded that the petitioner and her children are domiciled in Hamilton Township. Accordingly, A.A. was entitled to a free public education in the District's schools, and ordered that the respondent Board's residency determination in this matter be reversed.

Upon review of the record of this matter, as well as the ALJ's decision, the Commissioner concurred that A.A. was entitled to attend school in Hamilton Township. According, the Initial Decision was adopted as the final decision in this matter, and the Board's counterclaim for tuition was dismissed.

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.

January 17, 2019

#### OAL Dkt. No. EDU 13235-18 Agency Dkt. No. 201-8/18

J.A., on behalf of minor children, A.A. and T.A., Petitioner, V. Board of Education of the Township of Hamilton, Mercer County, Respondent.

Commissioner of Education

Decision

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed.<sup>1</sup> The parties did not file exceptions.

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Upon review, the Commissioner agrees with the Administrative Law Judge (ALJ) that petitioner sustained her burden of demonstrating that she was a domiciliary of Hamilton from February 13, 2018 through the end of the 2017-18 school year. Accordingly, the minor child A.A. was entitled to a free public education in the in the District's schools during that time.<sup>2</sup>

Accordingly, the Initial Decision of the OAL is adopted as the final decision in this matter. The Board's counterpetition for tuition is dismissed.

IT IS SO ORDERED.<sup>3</sup>

#### COMMISSIONER OF EDUCATION

Date of Decision: January 17, 2019 Date of Mailing: January 17, 2019

<sup>&</sup>lt;sup>1</sup> The Commissioner was not provided with a transcript of the October 22, 2018 hearing at the OAL.

<sup>&</sup>lt;sup>2</sup> The matter concerning the minor child T.A. was resolved prior to the hearing. Accordingly, this matter only involves A.A.'s enrollment in the District's schools.

<sup>&</sup>lt;sup>3</sup> 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).



# State of New Jersey OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. EDU 13235-18 AGENCY DKT. NO. 201-8/18

J.A., ON BEHALF OF MINOR

CHILDREN, A.A. AND T.A.,

Petitioner,

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BOARD OF EDUCATION OF THE TOWNSHIP OF HAMILTON, MERCER COUNTY,

Respondent.

J.A., on behalf of minor children, A.A. and T.A., petitioner, pro se

**Patrick F. Carrigg,** Esq., for respondent (Lenox, Socey, Formidoni, Giordano, Cooley, Lang and Casey, attorneys)

Record Closed: October 22, 2018 Decided: December 6, 2018

BEFORE JUDITH LIEBERMAN, ALJ:

# **STATEMENT OF THE CASE**

Petitioner, J.A., appealed the decision of the Hamilton Township Board of Education (Board or respondent) that her children were ineligible to attend school in Hamilton, New Jersey. The petitioner also appealed the Board's determination that she is responsible for the payment of tuition for the period her children attended school in Hamilton, New Jersey, while they were ineligible.

### **PROCEDURAL HISTORY**

On July 25, 2018, the Board issued a second notice of ineligibility, for attendance commencing February 13, 2018. The petitioner filed a timely appeal on August 20, 2018. The Board filed an Answer and Counterpetition for an Order Assessing Tuition on September 6, 2018. The Department of Education, Office of Controversies and Disputes transmitted the matter to the Office of Administrative Law (OAL), where it was filed September 11, 2018, as a contested case pursuant to N.J.S.A. 52:14F-1 to -13 and N.J.S.A. 52:14B-1 to -15. The matter was heard on October 22, 2018. During the hearing, counsel for the Board advised that the only issue to be decided was the petitioner's residency from February 13, 2018, though the end of the 2017-2018 calendar year, with respect to only A.A.'s enrollment. The matter concerning child T.A. had been resolved prior to the hearing date. The record closed October 22, 2018.

# FACTUAL DISCUSSION AND FINDINGS

The following is undisputed and I, therefore, find the following as FACT:

- Petitioner, J.A., had a daughter, A.A., who was registered to attend kindergarten at Greenwood Elementary School (Greenwood) in Hamilton, New Jersey.
- 2. On February 6, 2017, the Board Residency Committee (Committee) conducted a residency hearing concerning A.A.

- The Committee determined A.A. resided in Trenton and not in Hamilton.<sup>4</sup> She was therefore ineligible to attend school in Hamilton from November 15, 2016, through December 15, 2016, twenty school days.
- 4. The Committee determined the petitioner was responsible for the tuition for the twenty school days, at the per diem rate of \$64.19. The total amount owed was \$1,283.80.
- 5. The Board subsequently determined that A.A. resided primarily at the Hamilton address.
- 6. The Board initiated a second investigation on April 6, 2018. It found A.A. resided in Trenton, not Hamilton.
- 7. A residency hearing was conducted June 21, 2018.
- 8. On August 3, 2018, the Board determined A.A. resided in Trenton and was ineligible to attend school in the Hamilton Township School District.

# <u>Testimony</u>

# For the respondent

**Michael Celentana**, a residency investigator for the respondent, testified an investigation was initiated in response to a call from a "tipster", a private citizen who made a complaint. (R-3 at 5.) A.A., who was in first grade, was registered to attend Greenwood, with the Hamilton address listed as her home address. Celentana testified that A.A.'s parents resided at the Trenton address. The Hamilton and Trenton residences were approximately one-half mile apart.

<sup>&</sup>lt;sup>4</sup> For ease of reference, the two addresses at issue will be referred to as the "Hamilton address" and "Trenton address" throughout this decision.

As part of his investigation, Celentana surveilled the Hamilton and Trenton addresses. Because school started at 8:50 a.m., he surveilled the residences between 8:00 a.m. and 9:00 a.m. Celentana recorded his observations in an April 6, 2018, "Residency Investigation" report. (R-3 at 2-4.)

Celentana surveilled the Hamilton address on February 13, 2018, between 8:00 a.m. and 9:00 a.m. He did not see A.A. exit the residence. He confirmed that she attended school that day. He was not advised that she arrived late that day.<sup>5</sup>

On February 15, 2018, he surveilled the Trenton address, starting at 7:55 a.m. At approximately 8:32 a.m., he observed A.A. leave the residence and enter a red Cadillac car driven by her mother, J.A. They drove to Greenwood and A.A. exited the car and entered the school building. He confirmed that A.A. attended school that day.

On February 21, 2018, he surveilled the Trenton address, starting at 8:00 a.m. At approximately 8:34 a.m., he observed A.A. exit the residence and she entered the same Cadillac. The petitioner drove the car to Greenwood. A.A. exited the car and entered the school. He confirmed that A.A. attended school that day.

On February 22, 2018, Celentana surveilled the Trenton address, starting at approximately 8:05 a.m. At approximately 8:35 a.m., A.A. exited the residence and entered the Cadillac. The petitioner drove the car to Greenwood; A.A. exited the car and entered the school. Celentana confirmed that A.A. attended school that day.

On February 23, 2018, he surveilled the Hamilton address from 8:05 a.m. to 9:00 a.m. He did not observe A.A. exit the residence. He later confirmed A.A. reported to school late.

On February 26, 2018, he surveilled the Trenton address, starting at approximately 8:06 a.m. A.A. exited the residence at approximately 8:34 a.m. and entered a white Dodge van driven by T.A., her father. Celentana followed the van to

<sup>&</sup>lt;sup>5</sup> He would have been advised if A.A. had arrived late to school.

Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

On March 14, 2018, he surveilled the Trenton address, starting at approximately 8:05 a.m. A.A. exited the residence at approximately 8:25 a.m. and entered the white van, which was driven by T.A. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

On March 15, 2018, he surveilled the Trenton address, starting at approximately 8:05 a.m. A.A. exited the residence at approximately 8:30 a.m. and entered the white van. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

On March 23, 2018, he surveilled the Trenton address, starting at approximately 8:05 a.m. A.A. exited the residence at approximately 8:35 a.m. and entered the red Cadillac, which was driven by J.A. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

On March 27, 2018, he surveilled the Trenton address, starting at approximately 8:05 a.m. A.A. exited the residence at approximately 8:35 a.m. and entered the red Cadillac, which was driven by J.A. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

On March 28, 2018, he surveilled the Trenton address, starting at approximately 8:05 a.m. A.A. exited the residence at approximately 8:35 a.m. and entered the red Cadillac, which was driven by J.A. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

On April 5, 2018, he surveilled the Trenton address, starting at approximately 8:20 a.m. A.A. exited the residence at approximately 8:37 a.m. and entered the white van, which was driven by T.A. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

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On April 6, 2018, he surveilled the Trenton address, starting at approximately 8:15 a.m. A.A. exited the residence at approximately 8:28 a.m. and entered the white van. Celentana followed the van to Greenwood. A.A. exited the van and entered the school. He confirmed she attended school that day.

The Trenton address was approximately two miles from Greenwood. A person leaving the Trenton address at 8:35 a.m. could arrive to Greenwood on time. Celentana did not observe A.A. leave the Hamilton address during his investigation.

**Donald Ellison** was the Supervisor of Central Registration for the Board since February 2018. He was responsible for supervising investigative staff and overseeing and reviewing cases and investigative reports. He was previously a detective with the Mercer County Prosecutor's Office for twenty-nine years and Mercer County Undersheriff for five years. Ellison spoke with J.A. after he received Celentana's investigation report. He wanted to provide her an opportunity to challenge the observations and ask any questions she might have. She "acknowledged" that A.A. exited the Trenton address and referenced her child care needs. She also stated that her mother owns both properties and paid taxes on both.

Ellison directed investigator Clarence Stockton to investigate, to provide a "fresh" review of the facts. Stockton surveilled the Trenton address and prepared a Residency Investigation report. (R-3 at 15-28.) He wrote that he arrived at the Trenton address on May 16, 2018 "after the . . . family entered a red Cadillac [license plate number], I was unable to get a photograph of them entering or exiting but have one of the vehicle leaving the school[.]" (R-3 at 15.)

On May 18, 2018, he surveilled the Trenton address at 8:00 a.m. At approximately 8:27 a.m., he observed the petitioner, A.A., and a juvenile male exit the residence and get into a red Cadillac with the same license plate as on May 16, 2018. He followed the car to Greenwood. They entered the school. <u>Ibid.</u>

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Stockton surveilled the Trenton address on June 5, 2018, June 13, 2018, June 15, 2018, and June 20, 2018. He did not see the petitioner or A.A. exit the home. He learned that A.A. did not attend school those days. <u>Ibid</u>.

Stockton appended to his report photographs taken May 16, 2018, May 18, 2018, June 5, 2018, June 13, 2018, June 15, 2018, and June 20, 2018. (R-3 at 16-28.) Ellison testified that the photographs were compelling evidence that A.A. did not reside in the Hamilton School District. Ellison did not testify concerning the substance of the photographs.

Ellison referenced Stockton's testimony during a June 21, 2018, residency eligibility hearing before a committee of the Board of Education. The petitioner was present during the hearing. Ellison did not refer to specific portions of Stockton's testimony or discuss the contents of the photographs. (P-4.)

Ellison concluded, based on the two investigative reports, that A.A. did not reside in Hamilton Township. He noted there was no evidence of a custody agreement that would impact his assessment. The respondent determined the petitioner owed \$14,034 for the 2017-2018 school year.

### For the petitioner:

**J.A.** testified that her children resided with her. Their father, T.A., from whom she was separated, helped her by watching the children when J.A.'s work schedule prevented her from getting them to school. Her job required her to work late nights during its peak seasons.<sup>6</sup>

J.A. and T.A. are not divorced and there was not a consent order governing custody of their children. A restraining order prohibited T.A. from going to J.A.'s home in Hamilton. (P-7.) However, the order permitted him to "have contact with his children

<sup>&</sup>lt;sup>6</sup> At the time of the hearing, she was not working late nights but expected that she would be required to do so in November, when the holiday season began.

at any time at his place of residence." <u>Ibid.</u> T.A. previously owed over \$12,000 in child support. Despite this, he had begun to address his problems with addiction and mental health, and "started stepping up" with respect to helping with the children. J.A. reasoned that it would work to her advantage to allow T.A. to provide child care when she needed it, rather than paying a considerable sum of money to a stranger. In exchange, she relinquished her entitlement to the past due child support payments, which T.A. had not paid. (P-4.) She noted that, in addition to providing her with necessary child care, this arrangement helped "keep the drama down" between her and T.A.

J.A.'s mother owned the homes at the Hamilton and Trenton addresses. (P-3, 10, 12.) J.A. rented the Hamilton house from her mother. T.A. and two roommates<sup>7</sup>, all of whom were listed on the lease, rented the Trenton house from J.A.'s mother. <u>Ibid.</u>

In addition to both leases, J.A. produced multiple records to document that she resided in Hamilton and T.A. resided in Trenton. They included:

# J.A.'s records

- Driver's license
- Medicare Card
- Vehicle registration<sup>8</sup>
- Car insurance
- Car loan

<sup>&</sup>lt;sup>7</sup> J.A. produced records documenting that the two roommates resided at the Trenton address. (P-13, 15.)

<sup>&</sup>lt;sup>8</sup> The registration indicated the vehicle was a Cadillac with same license plate as observed by investigator Celentana.

- Banking statements
- Income tax records
- Credit card records
- Investment account statement<sup>9</sup> (P-2.)

# T.A.'s records

- Court documents
- Board of Social Service records
- Tax records
- Motor Vehicle Commission records
- Utility bills
- Credit card bills
- Employment records
  (P-6, 7, 8, 11, 14, 16-22.)

J.A. produced a September 13, 2018, letter written by T.A. (P-9.) He wrote that he moved to the Trenton address in 2014, after he and J.A. separated. He acknowledged difficulties in their marriage and that law enforcement had become involved and that he is not permitted to visit the Hamilton home. He wrote that the

<sup>&</sup>lt;sup>9</sup> The above records concern only J.A.; there is no indication that T.A. is registered or otherwise affiliated with these accounts. The records bear varied dates. The driver's license and Medicaid card were issued March 24, 2017, and May 1, 2008, respectively. The other documents are dated from February 22, 2018, through July 13, 2018.

Board "is insisting that I am not allowed to spend parenting time with my children because I reside in the City of Trenton." <u>Ibid</u>.

J.A. did not dispute that her children left the Trenton home some mornings. She stressed, however, that they did not live there. Rather, their caretaker, who happened to be their father, watched the children when J.A.'s job required her to work night shifts. She noted that she does not work a regular "9:00 to 5:00 job" and does not have the freedom to make her own work schedule. She must accept the work hours she is assigned, including overnight hours. On those occasions, she would need assistance with child care and her children, including A.A., who would sleep at the Trenton address. She would drive them to school, if she got out of work in time, and then go to her home in Hamilton. Otherwise, T.A. would drive them.

#### Additional Findings

It is the obligation of the fact finder to weigh the credibility of the witnesses before making a decision. Credibility is the value that a fact finder gives to a witness' testimony. Credibility is best described as that quality of testimony or evidence that makes it worthy of belief. "Testimony to be believed must not only proceed from the mouth of a credible witness but must be credible in itself. It must be such as the common experience and observations of mankind can approve as probable in the circumstances." In re Estate of Perrone, 5 N.J. 514, 522 (1950). To assess credibility, the fact finder should consider the witness' interest in the outcome, motive, or bias. A trier of fact may reject testimony because it is inherently incredible, or because it is inconsistent with other testimony or with common experience, or because it is overborne by other testimony. <u>Congleton v. Pura-Tex Stone Corp</u>, 53 N.J. Super. 282, 287 (App. Div. 1958).

As the fact finder, I had the ability to observe the demeanor, tone, and physical actions of the petitioner during the hearing. She testified calmly and clearly throughout the hearing, while expressing appropriate concern about her circumstances. Her explanation was consistent and comported with the realities associated with having a job that creates child care challenges. Her testimony concerning her difficult history with her spouse and their efforts to improve the relationship bolsters her account further.

It is reasonable that she would seek to resolve her child care needs while attempting to improve her relationship. Further, the petitioner provided numerous records documenting that she and T.A. resided separately. T.A,'s letter, although hearsay, corroborated J.A.'s account. He explained that he lived separately from J.A., was prohibited from visiting the Hamilton house, but wanted to spend time with his children. His time with them was necessarily spent in the Trenton house.

Based upon the testimonial and documentary evidence, and having had the opportunity to observe the appearance and demeanor of the witnesses, I **FIND** the following as **FACT**:

- 1. J.A. resided at the Hamilton address with her children, including A.A., during the months at issue.
- 2. T.A. resided at the Trenton address during the time at issue.
- 3. The children did not live with T.A.
- 4. The children stayed with T.A. when J.A. was unable to be with them due to her work schedule.
- 5. The two Board investigators conducted their investigations over a period of sixtythree school days.<sup>10</sup>
- Celentana surveilled the Hamilton house twice. A.A. did not exit the house either time. She reported to school late one of those days and was absent the other day.
- 7. Stockton did not surveil the Hamilton house.

<sup>&</sup>lt;sup>10</sup> Celentana's investigation was conducted from February 16, 2018, through April 6, 2018. Judicial notice is taken that there were thirty-seven school days during this period, not considering holidays. Stockton's investigation began May 16, 2018, and ended June 20, 2018, during which there were twenty-six school days, not considering holidays. Thus, their combined investigations spanned sixty-three school days.

- Celentana observed A.A. exit the Trenton house and be driven to Greenwood eleven times.
- Stockton observed A.A. exit the Trenton house and be driven to Greenwood twice. A.A. did not exit the Trenton house the four other times he observed the house. A.A. did not attend school those days.
- 10. A.A. exited the Trenton house and was driven to Greenwood a total of thirteen times during the sixty-three-day investigation.

#### LEGAL ANALYSIS AND CONCLUSIONS

Any child between the ages of five and twenty years old is entitled to a free public education in the district in which he is a resident. N.J.S.A. 18A:38-1(a); N.J.A.C. 6A:22-3.1(a). A student is a resident of a school district if his parent or guardian has a permanent home in the district such that "the parent or guardian intends to return to it when absent and has no present intent of moving from it, notwithstanding the existence of homes or residences elsewhere." N.J.A.C. 6A:22-3.1(a)(1). A student may attend school in a district in which he is a non-resident, with or without payment of tuition, at the discretion of the school district. N.J.S.A. 18A:38-3(a); N.J.A.C. 6A:22-2.2.

Domicile has been defined as the place where a person has his true, fixed, permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. <u>State v. Benny</u>, 20 N.J 238, 250 (1955). The domicile of an unemancipated child is that of his or her parent, custodian or guardian. <u>P.B.K. o/b/o minor child E.Y. v. Board of Ed. of Tenafly</u>, 343 N.J. Super 419, 427 (App. Div. 2001). The question of domicile is one of fact and must be determined on a case-by-case basis. <u>Lea v. Lea</u>, <u>18 N.J. 1</u>, 7 (1955). A person may have multiple residences but may have only one domicile at a time; as such, the residence may coincide with domicile, but does not alone determine domicile. <u>Ibid.</u>

The regulations contemplate that parents may not reside in the same school district. N.J.A.C. 6A:22-3.1(a)1.i provides, "When a student's parents are domiciled in different school districts, and there is no court order or written agreement between the

parents designating the school district of attendance, the student's domicile is the school district of the parent or guardian with whom the student lives for the majority of the school year. This subparagraph shall apply regardless of which parent has legal custody." The regulations also contemplate that a student may live with both of his parents an equal amount of time. N.J.A.C. 6A:22-3.1(a)1.ii provides:

When a student's physical custody is shared on an equaltime, alternating week/month or other similar basis so the student is not living with one parent or guardian for a majority of the school year and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the parent or guardian with whom the student resided on the last school day prior to the October 16 preceding the application date.

Here, the petitioner produced substantial evidence of her residence, including government-issued identification and court records. There is not a consent order or other written agreement designating A.A.'s school district and there is neither an assertion nor evidence suggesting that T.A. shared equal custody or responsibility for A.A. Rather, J.A. credibly testified that she avails herself of T.A.'s assistance with child care. The children are with T.A. at those times. Otherwise, J.A. is their primary caretaker. There is no evidence that this child care arrangement alters their domicile.

The Board argued that the investigators' findings establish that A.A. was not merely visiting the Trenton house but, rather, that she resided there. A.A. exited the house eleven times over a period of sixty-three school days. They surveilled the Hamilton address only two times. The substance of the photographs taken by Stockton was not discussed during the hearing and was not self-explanatory. Given the petitioner's credible testimony about her family needs and caretaking arrangement, I **FIND** the evidence is insufficient to support a finding that A.A. resided in Trenton.

#### DECISION AND ORDER

Based on the foregoing, I conclude that the petitioner established that she and her daughter, A.A. were domiciled in Hamilton and that A.A. is eligible to attend school

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there. Accordingly, I hereby **ORDER** that: (1) A.A. was properly enrolled in the Hamilton Township School District for the period commencing February 13, 2018, through the end of the 2017-2018 school year; and (2) the Board's Counterpetition for tuition reimbursement be dismissed.

I hereby FILE this initial decision with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION** for consideration.

This recommended decision may be adopted, modified or rejected by the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**, who by law is authorized to make a final decision in this matter. If the Commissioner of the Department of Education does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION, ATTN: BUREAU OF CONTROVERSIES AND DISPUTES, 100 Riverview Plaza, 4th Floor, PO Box 500, Trenton, New Jersey 08625-0500,** marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

December 6, 2018 DATE

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JUDITH LIEBERMAN, ALJ

Date Received at Agency:

Date Mailed to Parties: /vj

# **APPENDIX**

### **Witnesses**

# For petitioner:

J.A.

# For respondent:

Michael Celentana

Donald Ellison

# **Exhibits**

### For petitioner:

- P-1 Letter from petitioner to Commissioner of Department of Education
- P-2 Copies of petitioner's driver's license, Medicare card, vehicle registration, car insurance, car loan statements, banking statements, income tax records, credit card records, investment account statement
- P-3 Rental agreement
- P-4 8 Court orders
- P-9 Letter from T.A.
- P-10 Rental agreement
- P-13 22 Copies of T.A.'s records reflecting his address

# For respondent:

- R-1-2 None
- R-3 Board investigatory file, including Residency Investigation reports
- R-4 Transcript of June 21, 2018 Residency Hearing before Board Committee