

New Jersey Commissioner of Education
Final Decision

A.T., on behalf of minor children,
K.T. and P.T,

Petitioner,

v.

Board of Education of the Township of
Sparta, Sussex County,

Respondent.

On October 28, 2021, a final agency decision was rendered in this matter, wherein the Commissioner found petitioner A.T. liable for tuition in the amount of \$35,363.44 for the time during the 2019-2020 school year during which petitioner's minor children were ineligible to attend school in the Sparta Township school district. The Sparta Township Board of Education (Board) subsequently requested that the Commissioner seek entry of the assessment on the judgment docket of the Superior Court pursuant to *N.J.S.A. 2A:58-10*.

Petitioner objected to the request, arguing that the minor children are "handicapped and their handicap was not accommodated," stating that "a civil action will be filed on behalf" of the children, and requesting that a judgment not be entered at this time. However, there is no indication that an action is currently pending. Moreover, the Commissioner's decision assessing tuition has been upheld by the Appellate Division and the New Jersey Supreme Court,

such that there is no question that petitioners owe tuition to the Board. *A.T., on behalf of minor children K.T. and P.T. v. Bd. of Educ. of the Twp. of Sparta, Sussex Co.*, 2023 N.J Super. Unpub. LEXIS 437 (App. Div. Mar. 24, 2023), *cert. denied* Nov. 14, 2023. Furthermore, pursuant to N.J.A.C. 3A:11.1(b)(1), objections to a request for a judgment to be recorded “may not dispute the fact that monies are owed or the amount of such monies as reflected in the final order of assessment, but shall be limited to claims of error in the amount of judgment sought, for example, because payments have been made that the letter of request does not reflect.” Petitioner does not contend that she has paid the Board any portion of the amount assessed against her.

Accordingly, pursuant to N.J.S.A. 2A:58-10, Annette Tarnawski is now subject to entry of a judgment by the court in the amount of \$35,363.44, which represents the payment ordered by the Commissioner, with interest to accrue as provided by law.

IT IS SO ORDERED.


ANGELINA ALLEN McMILLAN, J.D.S.
ACTING COMMISSIONER OF EDUCATION

Date of Decision: January 26, 2024

Date of Mailing: January 31, 2024