

New Jersey Commissioner of Education
Final Decision

North Arlington Board of Education, Bergen
County,

Petitioner,

v.

M.C. and I.C., on behalf of minor child, A.C.,

Respondents.

The record of this matter has been reviewed and considered. This matter concerns the North Arlington Board of Education's (Board) determination that M.C. and I.C. (respondents) and A.C. were not domiciled in North Arlington from February 6, 2026, through April 24, 2026, and its demand for payment of tuition for the period of the child's ineligible school attendance in the district.

On May 14, 2026, the Board filed a petition seeking tuition reimbursement from respondents with the Office of Controversies and Disputes (Office). By notice dated May 14, 2026, the Office acknowledged proof that the petition had been served upon respondents and directed them to answer within 20 days. No answer having been received, on June 18, 2026, the Office sent respondents a second notice via email, directing them to file an answer within ten days. The notice advised that, pursuant to *N.J.A.C. 6A:3-1.5(e)*, failure to answer would cause each allegation in petitioner's papers to be deemed admitted and might result in summary

decision by the Commissioner. No answer having been received, on July 6, 2026, the Office sent another notice by regular and certified mail, return receipt requested. On or about July 20, 2026, the Office received a certified mail return with a signature that appears to be M.C.'s and a delivery date of July 11, 2026. To date, respondents have not answered Petitioner's petition.

The petition in this matter indicates that M.C. and I.C. are the legal guardians of minor student, A.C., and have sole physical custody of him. Respondents enrolled A.C. in the North Arlington school district on or about September 22, 2025. After receiving reports from A.C.'s mother that respondents resided in Newark, the Board commenced an investigation and concluded that as of February 6, 2026, respondents no longer resided in North Arlington. The Board contacted respondents to notify them of the results of the investigation and that the Board would begin the disenrollment process, which includes the opportunity to be heard before the Board. In response, respondents withdrew A.C. from the school district. His last day of attendance was April 24, 2026. Respondents also completed a transfer card for A.C., which indicated that their current address was in Newark.

The Board determined that A.C. had been enrolled in the district ineligibly for forty-six school days from February 6, 2026, to April 24, 2026. The Board contends that the per pupil tuition rate for the 2025-2026 school year is \$97.07 per day, and as such, it is entitled to tuition reimbursement in the amount of \$4,466.14 (\$97.07/day x 46 days). Respondents have not denied these allegations; therefore, the Commissioner deems such allegations to be admitted. See *N.J.A.C. 6A:3-1.5(e)*. Pursuant to *N.J.S.A. 18A:38-1(b)*, the Commissioner shall assess tuition against respondents for the period during which A.C. was ineligible to attend school in North Arlington.

Upon review, the Board is entitled to tuition reimbursement in the amount of \$4,466.14 for the period from February 6, 2026, to April 24, 2026, during which A.C. was ineligible to attend school in the North Arlington school district. Respondents are directed to reimburse the Board in the amount of \$4,466.14 for tuition costs incurred.

IT IS SO ORDERED.¹



COMMISSIONER OF EDUCATION

Date of Decision: September 16, 2026
Date of Mailing: September 17, 2026

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.