

**New Jersey Commissioner of Education**  
**Final Decision**

T.S., on behalf of minor children, Q.S. and T.S.,  
  
Petitioner,  
  
v.  
  
Board of Education of the Township of Gloucester,  
Camden County,  
  
Respondent.

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

Upon review, the Commissioner concurs with the Administrative Law Judge (ALJ) that petitioner's children are not legally entitled to courtesy busing from their childcare provider's home to their school for the 2025-2026 school year even though respondent Board of Education of the Township of Gloucester (Board) provided said transportation for them during the prior two school years. The Commissioner holds that the Board's decision to deny petitioner's special transportation request for the 2025-2026 school year was consistent with state law and Board policy and was not arbitrary, capricious, or unreasonable.

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.<sup>1</sup>



COMMISSIONER OF EDUCATION

Date of Decision: September 30, 2026  
Date of Mailing: September 30, 2026

<sup>1</sup> 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.



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

OAL DKT. NO. EDU 01538-26

AGENCY DKT. NO. 435-12/25

**T.S., ON BEHALF OF MINOR CHILDREN,**

**Q.S. AND T.S.,**

Petitioners,

v.

**BOARD OF EDUCATION OF THE TOWNSHIP**

**OF GLOUCESTER, CAMDEN COUNTY,**

Respondent.

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**T.S.**, petitioner, pro se

**Emily E. Strawbridge**, Esq., for respondent Board of Education of the Township  
of Gloucester, Camden County (Parker McCay, P.A., attorneys)

Record Closed: July 22, 2026

Decided: August 24, 2026

BEFORE **SUSAN MCCABE**, ALJ:

**STATEMENT OF THE CASE**

Petitioner T.S.'s children live less than one-half mile from school, placing them within respondent Gloucester Township Board of Education's (Gloucester Township), walking-distance threshold. Must Gloucester Township provide courtesy busing to their

childcare provider? No. Gloucester Township's transportation policy denies courtesy busing to any student living within its established walking-distance threshold of one-half mile from the student's designated school.

### **PROCEDURAL HISTORY**

On July 31, 2025, T.S. applied to Gloucester Township for courtesy busing. On August 25, 2025, Gloucester Township denied the application because the children live within walking distance of their elementary school. On December 3, 2025, T.S. filed an appeal with the Department of Education, Office of Controversies and Disputes, because the children are in childcare both before school and after school and that location is not within walking distance of the elementary school.

On January 28, 2026, the Office of Controversies and Disputes transmitted the case to the Office of Administrative Law as a contested case under the OAL Administrative Procedure Act. N.J.S.A. 52:14F-1 to -23; N.J.S.A. 52:14B-1 to -15.

On June 24, 2026, I held the hearing but left the record open for the parties to submit written summations or closing briefs.

On July 14, 2026, T.S. submitted his closing brief, and on July 22, 2026, Gloucester Township submitted its closing brief.

Upon receipt of this last closing brief, I closed the record.

### **FINDINGS OF FACT**

Based on the testimony the parties provided and my assessment of their credibility, together with the documents the parties submitted and my assessment of their sufficiency, I **FIND** the following as **FACT**:

T.S. and his minor children live in the Gloucester Township School District, where his children attend Chews Elementary School. Significantly, Chews Elementary School

is located 0.4 miles from their home. Because T.S. must go to work before the children go to school, and because he does not return from work before the children return from school, T.S. leaves his children with a childcare provider both before and after school. His childcare provider lives one mile from Chews Elementary School. For this reason, T.S. asked Gloucester Township for courtesy door-to-door busing to and from his childcare provider's home. Gloucester Township provided this courtesy busing during the 2023–2024 and 2024–2025 school years, but it reversed its course for the 2025–2026 school year because the fact remains that the children's home, not the childcare provider's home, is within walking distance from the elementary school.

Of note, a sidewalk runs from the children's home to the elementary school without interruption. No roadway must be crossed, either. Indeed, the route is not designated as "hazardous" by any authority.

### **CONCLUSIONS OF LAW**

Public school districts operate under a statutory mandate to provide free transportation to students who live "remote from school," which the Legislature defines as "more than two miles" for elementary-school students. N.J.S.A. 18A:39-1. Gloucester Township, however, has a more generous policy. It provides free transportation for elementary-school students who live "more than a half mile" from their local school.

These distance thresholds notwithstanding, a school district must provide transportation if the municipal government or school board designates the pedestrian path as a hazardous route, such as requiring students to cross major highways without walkways or overpasses. N.J.S.A. 18A:39-1.5.

While no statutory authority exists for childcare-specific busing, school districts may provide such transportation at their discretion in accordance with school-board policy. N.J.A.C. 6A:27-1.4(a). Still, a school district is not legally required to do so if the student does not independently qualify for mandated transportation based on the distance from his or her home. N.J.S.A. 18A:39-1. Again, this means more than a half mile in Gloucester Township.

In this case, the children live less than half a mile from the local elementary school, which is well within both distance thresholds. In addition, a sidewalk runs from the children's home to the elementary school without interruption and no roadway must be crossed. The route is not designated as "hazardous" by any authority, either. As a result, T.S. and his children do not qualify for busing.

Although Gloucester Township previously provided courtesy busing to and from T.S.'s childcare provider during the 2023–2024 and 2024–2025 school years, nothing about this past busing creates a future entitlement.

Therefore, I **CONCLUDE** that T.S. does not meet the statutory threshold under N.J.S.A. 18A:39-1, nor does T.S. qualify for courtesy busing under Gloucester Township's transportation policy.

### **ORDER**

Given my findings of fact and conclusions of law, I **ORDER** that Gloucester Township may properly refuse to provide courtesy busing, and T.S.'s appeal is **DENIED**.

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**. **Exceptions may be filed by email to**

[ControversiesDisputesFilings@doe.nj.gov](mailto:ControversiesDisputesFilings@doe.nj.gov) or by mail to Office of Controversies and Disputes, 100 Riverview Plaza, 4th Floor, PO Box 500, Trenton, New Jersey 08625-0500. A copy of any exceptions must be sent to the judge and to the other parties.

August 24, 2026

DATE

  
SUSAN MCCABE, ALJ

Date Received at Agency:

Date Mailed to Parties:

SM/dc

## **APPENDIX**

### Witnesses

#### For petitioners:

C.S.

#### For respondent:

Lynne Caione, Supervisor of Transportation

Jillian Ruck, Administrative Secretary, Office of Transportation

### Exhibits

#### For petitioners:

- P-1 Not in evidence
- P-2 Not in evidence
- P-3 Not in evidence
- P-4 Bus assignment for 2025–2026 school year
- P-5 Not in evidence
- P-6 Not in evidence
- P-7 Not in evidence
- P-8 Not in evidence
- P-9 Not in evidence
- P-10 Not in evidence
- P-11 Not in evidence
- P-12 Emails dated January 28, 2026
- P-13 Email dated February 20, 2026
- P-14 Letter from John Bilodeau to C.S. dated February 20, 2026
- P-15 Email and cover of envelope dated February 20, 2026
- P-16 Emails dated June 18, 2026
- P-17 BusBoss map, undated

For respondent:

- R-1 BusBoss map, undated
- R-2 Email dated August 26, 2025
- R-3 Not in evidence
- R-4 District Report of Transported Resident Students for 2025–2026 school year
- R-5 Eligible Special Education Students with Special Transportation needs report, undated
- R-6 Courtesy Students report, undated
- R-7 Nonpublic-School Students over 20 miles report, undated
- R-8 District Profile report, undated
- R-9 Emails dated October 17, 2025
- R-10 Not in evidence
- R-11 Not in evidence
- R-12 Gloucester Township Public Schools Elementary Student Special Transportation Request form, undated
- R-13–R-17 District Regulation 8600, Pupil Transportation dated March 2009