

EDU #10198-00  
C # 297-03  
SB # 28-03

BOARD OF EDUCATION OF THE WALLKILL :  
VALLEY REGIONAL HIGH SCHOOL  
DISTRICT, SUSSEX COUNTY, :

PETITIONER-RESPONDENT, :

V. :

BOARD OF EDUCATION OF THE BOROUGH :  
OF RAMSEY, BERGEN COUNTY, :

RESPONDENT-APPELLANT, :

AND :

THE NEW JERSEY STATE DEPARTMENT  
OF EDUCATION, DIVISION OF FINANCE, :

RESPONDENT-RESPONDENT. :

STATE BOARD OF EDUCATION  
DECISION

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Decided by the Deputy Commissioner of Education, June 18, 2003

For the Petitioner-Respondent, Algeier Woodruff (Ellen S. Bass, Esq., of  
Counsel)

For the Respondent-Appellant, Fogarty & Hara (Stephen R. Fogarty, Esq.,  
of Counsel)

For the Respondent-Respondent, Allison C. Eck, Deputy Attorney General  
(Peter C. Harvey, Attorney General of New Jersey)

In September 2000, the Wallkill Valley Regional High School District (hereinafter  
"Regional District") filed a petition of appeal with the Commissioner of Education  
challenging the Department of Education's determination that it was the district of

residence for P.P., a student placed by the Division of Youth and Family Services in a state-sponsored skill development home, and therefore was responsible for the tuition and transportation costs of his educational placement. On June 18, 2003, the Deputy Commissioner adopted the recommendation of the Administrative Law Judge, concluding that the respondent Board of Education of the Borough of Ramsey (hereinafter "Ramsey Board"), the district of residence of P.P.'s father, with whom P.P. had lived prior to his admission to the State facility, was the district responsible for P.P.'s educational costs.

On July 18, 2003, the Ramsey Board filed the instant appeal to the State Board. On December 4, 2003, the parties submitted a proposed settlement agreement in which the Ramsey Board agreed to withdraw its appeal and to reimburse the Regional District for P.P.'s tuition and transportation costs for the 1999-2000, 2000-01, 2001-02 and 2002-03 school years in a total amount not to exceed \$172,698.29 in three equal annual payments beginning on July 1, 2004.

We have reviewed the proposed settlement and find it to be in accord with the principles expressed in In re Cardonick, decided by the State Board of Education, April 6, 1983. We therefore approve the settlement in this matter.

February 4, 2004

Date of mailing \_\_\_\_\_