

H.B.M., on behalf of minor children,	:	
A.M. AND C.M.,	:	
	:	
PETITIONER,	:	
V.	:	COMMISSIONER OF EDUCATION
BOARD OF EDUCATION OF THE	:	DECISION
TOWNSHIP OF BEDMINSTER,	:	
SOMERSET COUNTY,	:	
	:	
RESPONDENT.	:	

SYNOPSIS

Petitioning parent involved in divorce proceedings challenged Board's residency determination.

Based on the evidence and testimony presented, the ALJ concluded that petitioner's children were entitled to a free public education in Bedminster Township pursuant to *N.J.S.A. 18A:38-1*. Moreover, the Board was not entitled to recovery of tuition.

Relying upon the credibility determinations of the ALJ and the record, the Commissioner adopted the findings and conclusions of the ALJ. Commissioner ordered the Board to continue to admit petitioner's children into its public school system, free of charge, so long as there is no change in petitioner's circumstances that would alter the children's entitlement.

AUGUST 21, 1997

The Board is hereby ordered to continue to admit petitioner's children into its public school system, free of charge, so long as there is no change in petitioner's circumstances that would alter the children's entitlement.

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

AUGUST 21, 1997

transcript makes reference to numerous documents brought by petitioner to the Board's record in this matter. It is also noted that the record herein contained a copy of the videotape prepared by the Board's investigator.