

199-02

BOARD OF EDUCATION OF THE :  
CITY OF TRENTON, MERCER :  
COUNTY, :  
PETITIONER, :  
V. : COMMISSIONER OF EDUCATION  
NEW JERSEY STATE DEPARTMENT : DECISION  
OF EDUCATION, :  
RESPONDENT. :  
\_\_\_\_\_ :

SYNOPSIS

Petitioning Board challenged the Department's notice of determination regarding second level audit appeal of Title I Funds.

The ALJ concluded that the Board did not show by a preponderance of the credible evidence in the record that the disallowance complained of was in any way improper. The ALJ found that the Department did not act in an arbitrary, capricious or unreasonable manner.

The Commissioner adopted the findings and determination in the Initial Decision as his own.

May 16, 2002

OAL DKT. NO. EDU 8280-00  
AGENCY DKT. NO. 345-10/00

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The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. The parties did not file exceptions to the Initial Decision.

Upon careful and independent review of the record of this matter, the Commissioner concurs with the findings and conclusions of the Administrative Law Judge. Accordingly, the Initial Decision is adopted for the reasons expressed therein and the Petition of Appeal is dismissed.

IT IS SO ORDERED.\*

COMMISSIONER OF EDUCATION

Date of Decision: May 16, 2002

Date of Mailing: May 16, 2002

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\* This decision, as the Commissioner's final determination, may be appealed to the State Board of Education pursuant to *N.J.S.A.* 18A:6-27 *et seq.* and *N.J.A.C.* 6A:4-1.1 *et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.