

D.L. and Z.Y., on behalf of minor children,	:	
T.L. and K.L.,	:	
	:	
PETITIONERS,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF PRINCETON	:	DECISION
REGIONAL SCHOOL DISTRICT,	:	
MERCER COUNTY,	:	
	:	
RESPONDENT.	:	
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SYNOPSIS

Petitioning parents challenged respondent Board’s residency determination that their children, T.L. and K.L., were not entitled to attend the Board’s schools free of charge.

The ALJ determined that, based on the totality of the evidence, petitioners did not meet their burden of proof. The ALJ found that T.L. and K.L. were enrolled in the Princeton Regional School District from January 3, 2000 until April 6, 2001 while West Windsor was their permanent home and the family showed no intention at that time of abandoning that domicile. The ALJ ordered petitioners to reimburse respondent in the amount of \$27,292.38 as the prorated tuition due for the period of ineligible attendance.

The Commissioner adopted the findings and determination in the Initial Decision as his own and directed petitioners to reimburse the Board the tuition owed.

September 16, 2002

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

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The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. Petitioners' exceptions were timely filed pursuant to *N.J.A.C.* 1:1-18.4, and were fully considered by the Commissioner in making his determination herein.

Upon his careful and independent review, the Commissioner concurs with the Administrative Law Judge (ALJ), for the reasons detailed in the Initial Decision, that petitioners have failed to meet their burden of proving, by a preponderance of the credible evidence, that they were domiciliaries of the Princeton Regional School District during the period January 3, 2000 to April 6, 2001, so as to entitle their children, T.L. and K.L., to attend the Board's schools free of charge during this time.

Accordingly, the Initial Decision of the OAL is affirmed for the reasons expressed therein. Petitioners are directed to reimburse the Board a total of \$27,292.38, as explicated in the

Initial Decision, for the period of their children's ineligible attendance in its schools.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: September 16, 2002

Date of Mailing: September 18, 2002

* 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.* Commissioner decisions are deemed filed three days after the date of mailing to the parties.