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**NORTH HALEDON BOARD OF EDUCATION
REGISTRATION AND DOMICILE/RESIDENCY FORMS**

**PRELIMINARY INFORMATION:
PLEASE READ BEFORE PROCEEDING**

A. ELIGIBILITY TO ATTEND THE NORTH HALEDON PUBLIC SCHOOLS

The questions asked in the following pages will enable us to determine your child's eligibility to attend school in the North Haledon School District ("District") in accordance with New Jersey law. Please be aware that N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22-1 et seq. specify that a free public education will be provided to any student between the ages of 5 and 20, and to certain students under 5 and over 20 as specified in other applicable law, who are:

- Domiciled in the District, i.e., living with a parent or guardian whose permanent home is located within the District. A home is permanent when the parent or guardian intends to return to it when absent and has no present intent of moving from it, notwithstanding the existence of homes or residences elsewhere.
- Living with a person, other than the parent or guardian, who is domiciled in the District and is supporting the student without compensation, as if the student were his or her own child, because the parent cannot support the child due to family or economic hardship. (See "Affidavit of Domicile" Students below.)
- Living with a person domiciled in the District, other than the parent or guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the U.S. armed forces and has been ordered into active military service in the U.S. Armed Forces in time of war or national emergency.
- Living with a parent or guardian who is temporarily residing in the District.
- The child of a parent or guardian who moves to another district as the result of being homeless.
- Placed in the home of a District resident by court order pursuant to N.J.S.A. 18A:38-2.
- The child of a parent or guardian who previously resided in the District but is a member of the New Jersey National Guard or the United States reserves and has been ordered into active service in time of war or national emergency pursuant to N.J.S.A. 18A:38-3(b).
- Residing on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Note that the following do **not** affect a student's eligibility to enroll in school:

- Physical condition of housing or compliance with local housing ordinances or terms of lease.
- Immigration/visa status, except for students holding or seeking a visa (F-1) issued specifically for the purpose of limited study on a tuition basis in a United States public secondary school.
- Absence of a certified copy of birth certificate or other proof of a student's identity, although these must be provided within 30 days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.
- Absence of student medical information, although actual attendance at school may be deferred as necessary in compliance with rules regarding immunization of students, N.J.A.C. 8:57-4.1 et seq.
- Absence of a student's prior educational record, although the initial educational placement of the student may be subject to revision upon receipt of records or further assessment by the District.

B. ACCEPTABLE DOCUMENTATION OF PROOF OF RESIDENCY

The following forms of documentation may demonstrate a student's eligibility for enrollment in the District. Particular documentation necessary to demonstrate eligibility under specific provisions in law will be indicated in the appropriate section of the registration form.

- Property tax bills, deeds, contracts of sale, leases, mortgages, signed letters from landlords and other evidence of property ownership, tenancy or residency.
- Voter registrations, licenses, permits, financial account information, utility bills, delivery receipts, and other evidence of personal attachment to a particular location.
- Court orders, state agency agreements and other evidence of court or agency placements or directives.
- Receipts, bills, cancelled checks, insurance claims or payments, and other evidence of expenditures demonstrating personal attachment to a particular location or, where applicable, to support of the student.
- Medical reports, counselor or social worker assessments, employment documents, unemployment claims, benefit statements, and other evidence of circumstances demonstrating, where applicable, family or economic hardship or temporary residency.
- Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance from the parent, legal guardian, person keeping an "affidavit of domicile" student, adult student, person(s) with whom a family is living, or others, as appropriate.

- Documents pertaining to military status and assignment.
- Any business record or document issued by a governmental entity.
- Any other form of documentation relevant to demonstrating entitlement to attend school.

The totality of information and documentation you offer will be considered in evaluating an application, and, unless expressly required by law, the student will not be denied enrollment based on your inability to provide certain form(s) of documentation where other acceptable evidence is presented.

You will not be asked for any information or document protected from disclosure by law or pertaining to criteria which are not legitimate bases for determining eligibility to attend school. You may voluntarily disclose any document or information you believe will help establish that the student meets the requirements of law for entitlement to attend school in the District, but *we may not, directly or indirectly, require or request:*

- Income tax returns;
- Documentation or information relating to citizenship or immigration/visa status, unless the student holds or is applying for an F-1 visa;
- Documentation or information relating to compliance with local housing ordinances or conditions of tenancy;
- Social security numbers.

Please be aware that any initial determination of the student’s eligibility to attend school in this District is subject to more thorough review and subsequent re-evaluation, and that tuition may be assessed in the event that an initially admitted student is later found ineligible. If your child is found ineligible, now or later, you will be provided the reasons for our decision and instructions on how to appeal.

C. “AFFIDAVIT OF DOMICILE” STUDENTS

As stated above, a student living with a person, other than the parent or guardian, who is domiciled in the District and is supporting the student without compensation, is entitled to attend school in the District. Students are not eligible to attend school as “Affidavit of Domicile” students unless the student’s parent or guardian is not capable of supporting or providing care for the student due to family or economic hardship, and unless it is clear that the student is not living in the District solely for purposes of receiving a public education.

A student will not be considered ineligible because required sworn statements(s) cannot be obtained so long as evidence is presented that the underlying requirements of the law are being met.

A student will not be considered ineligible when evidence is presented that the student has no home or possibility of school attendance other than with a non-parent District resident who is acting as the sole caretaker and supporter of the student.

A student will not be considered ineligible solely because a parent or guardian provides gifts or limited contributions, financial or otherwise, toward the welfare of the student provided that the resident keeping the student receives no payment or other remuneration from the parent or guardian for the student's actual housing and support. Receipt by the resident of Social Security or other similar benefits on behalf of the student does not render a student ineligible.

It is not necessary that legal guardianship or custody be obtained before a student will be considered for enrollment on an "Affidavit of Domicile" basis.

D. TRANSPORTATION OF STUDENTS RESIDING WITH DIVORCED PARENTS

The District is not required, as a result of being the school district of domicile for school attendance purposes where a student lives with more than one parent, to provide transportation to a student residing outside the District for part of the school year, other than transportation based upon the home of the parent domiciled within the District to the extent required by law.

E. EMANCIPATED STUDENTS

If you are claiming to be an emancipated student, you must also provide proof that you are not in the care and custody of a parent or legal guardian.

F. HOMES LOCATED IN MULTIPLE SCHOOL DISTRICTS

Under New Jersey law, where a dwelling is located within two or more local school districts or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the district of domicile for school attendance purposes is that of the municipality to which the resident pays the majority of his or her property tax or to which the majority of property tax for the dwelling in question is paid by the owner of a multi-unit dwelling.

G. DISPUTES CONCERNING DOMICILE

If you experience difficulties with the enrollment process, please see the building Principal. If you cannot resolve your difficulties with the building Principal, you may contact the Office of the Superintendent at () - . Additionally, you may appeal a decision regarding entitlement to attend the District's school by filing an appeal before the Commissioner of Education. Directions for such an appeal are included in this enrollment packet.

Provide the following information for the individual with whom the child resides:

Home Phone: _____ Home e-mail: _____

Work Phone: _____ Work e-mail: _____

Cell Phone/Beeper: _____

Has the student attended a North Haledon School before? Yes ___ No ___

If so, give school names and dates of attendance:

Schools and dates of attendance outside the District:

Names and birth dates of brothers and sisters (please include pre-school children also):

TO THE PERSON ENROLLING THE STUDENT:

1. Complete SECTION A (DOMICILE) if the student is living with a parent or guardian whose permanent home is the address given on the registration form and is located in the District.
2. Complete SECTION B ("AFFIDAVIT OF DOMICILE" STUDENT) if the student is living with a person domiciled in the District, other than the parent or guardian.
3. Complete SECTION C (TENANCY) if you are a tenant and are unable to produce a copy of your lease. Use Tenant Form A or Tenant Form B as applicable.
4. Complete SECTION D (SPECIAL CIRCUMSTANCES) if the student's situation is not addressed by Section A, B or C or if any of the circumstances in Section D apply.

STATEMENT OF DOMICILE
(Student Residing with Parent/Guardian in the District)

Complete this section if the student is living with a parent or guardian whose permanent home is located in the North Haledon School District. If you are the student's guardian or will be the guardian of a student from out of state following expiration of the required six-month waiting period, you will be asked to provide official papers proving guardianship. You will not be asked to produce "Affidavit of Domicile" student proofs of the type requested in Section B.

How long have you lived in this home? _____

Do you have any present intention of moving from this home? If so, when and to where?

Do you have residences(s) elsewhere, and, if so, where are they and when do you live there?

Please list four forms of proof you will provide to demonstrate that the address given on this application is your permanent home. (See the list ACCEPTABLE DOCUMENTATION OF PROOF OF RESIDENCY on the first page of this packet.)

1. _____
2. _____
3. _____
4. _____

If the student's parents are domiciled in different school districts, regardless of which parent has legal custody, please answer the following questions:

Does the student reside with one parent for the entire year? If so, with which parent and at what address?

If not, for what portion of time does the student reside with each parent and at what addresses?

Parent

Date

3. The child's sex: Male ___ Female ___ Date of birth: ___ / ___ / ___
4. The date on which the child moved into my home: _____, _____.
5. (a) Has the child continuously resided at the address above since that date?

(b) If not, state the address, length of time, and with whom the child has been residing.
6. I am supporting the child gratuitously (free), as if he/she were my own child. I have supported the child without remuneration (payment) from the parent(s) since _____. I assume all personal obligations for the child relative to school requirements. My gratuitous support of the child named above shall continue throughout the entire calendar year and not merely throughout the school year.
7. Is a court order in existence authorizing the child to reside with the North Haledon resident (i.e., guardianship, adoption, custody agreement, foster parent placement, etc.)? If so, please attach (**Such an order is not required in order for the child to be eligible for school attendance**).
8. Set forth in detail all reasons why neither parent is capable of supporting or providing care for the child due to family or economic hardship.
9. Is the child residing with you solely for the purpose of receiving a free public education in the North Haledon School District?
10. This Affidavit is made specifically to induce the North Haledon Board of Education to accept the child named above as a legally qualified student into the North Haledon Public School District without payment of tuition, knowing that the North Haledon Board of Education will rely upon the truth of the statements herein contained.
11. To the best of my knowledge, the answers, statements, and declarations made by the child's parent(s) in the "Affidavit Regarding Inability to Support or Care For Child" are absolutely true in all respects.

12. I fully understand and agree that any false or fraudulent statements, answers or declarations contained in this Affidavit may render me personally liable to the North Haledon Board of Education for the payment of tuition for the school year.
13. I fully understand and agree that, pursuant to N.J.S.A. 18A:38-1, if I fraudulently allow the child named above to use my residence and I am not the primary financial supporter of the child, I will have committed a disorderly persons offense. If I am convicted of such offense, I may be fined up to \$1,000.00 and/or be imprisoned for up to six (6) months.
14. I fully understand and agree that any false statements, answers, or declarations contained in this Affidavit may subject me to criminal prosecution for the crime of false swearing in violation of N.J.S.A. 2C:28-2. If I am convicted of such crime, I may be punished by a fine of up to \$10,000.00 and/or be imprisoned for up to eighteen (18) months.
15. I understand that if any of the statements in this Affidavit change, I am required to notify the North Haledon Board of Education or the Superintendent of Schools immediately.

I hereby declare that all answers, statements and declarations set forth in this Affidavit are true.

Applicant/Guardian

Applicant/Guardian

Sworn and Subscribed to me
on this _____ day of _____, _____

A Notary Public of the State of New Jersey
My commission expires on _____

Pursuant to N.J.A.C. 6A:22-1.1 et seq., a district board of education shall admit the following students to its schools: (1) any student domiciled within the district; (2) any student kept in the home of a person other than the student's parent or legal guardian where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child; (3) any student kept in the home of a person domiciled in the district, other than the parent or legal guardian where the parent or legal guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency; (4) any student whose parent or legal guardian temporarily resides within the district not solely for purposes of a student's attending school within the district of temporary residence; (5) any student whose parent or guardian moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6:5, "Provisions for the Education of Homeless Children and Youth"; (6) any student placed in the home of a district resident by court order pursuant to N.J.S.A. 18A:38-2; (7) any student previously residing in the district if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered into active service in time of war or national emergency pursuant to N.J.S.A. 18A:38-3(b); and (8) any student residing on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Any initial determination of the student's eligibility to attend school in this district is subject to more thorough review and subsequent re-evaluation, and tuition may be assessed in the event that an initially admitted student is later found ineligible. If your child is found ineligible, now or later, you will be provided the reasons and instructions on how to appeal.

“AFFIDAVIT OF DOMICILE” STUDENT
(Student residing with a person domiciled in the District,
other than the parent or guardian)

PART 2

**NON-RESIDENT PARENT’S AFFIDAVIT REGARDING
INABILITY TO SUPPORT OR CARE FOR CHILD**

I, _____, of full age, being duly sworn according
(Name of Non-Resident Parent)
to law, and under oath say:

1. I am the parent of the child named below:

2. I live at _____.

3. On _____, _____, my child began to reside with
_____, hereinafter referred to as the Resident, whose address is
_____.

4. I have carefully read the Resident’s Affidavit of Domicile and Support of Student dated
_____ and the answers, statements and declarations set forth in said Affidavit
are absolutely true in all respects.

5. Set forth in detail all reasons why you are not capable of supporting or providing care for
your child due to family or economic hardship.

6. The said Resident will keep and support the said child gratuitously, as if the said child were his or her own with no contribution or payment from me in connection with the support, maintenance, or education of the said child.
7. The said Resident has the authority to make any and all decisions regarding my child that may arise in the school setting, including but not limited to, issues related to my child's educational needs, special education needs, and/or medical needs.
8. I fully understand and agree that:
 - (a) If I have made a fraudulent claim, I will have committed a disorderly persons offense and, upon conviction thereof, I may be punished by a fine of up to \$1,000.00 and/or be imprisoned for up to six (6) months.
 - (b) I have read and understand the Resident's Affidavit of Domicile and Support of Student, and any false statements, answers, or declarations contained therein or herein may subject me to criminal prosecution for the crime of false swearing in violation of N.J.S.A. 2C:28-2, and upon conviction thereof, I may be punished by a fine of up to \$10,000.00 and/or be imprisoned for up to eighteen (18) months.

Parent

Parent

Sworn and Subscribed to me
on this _____ day of _____, _____

Notary Public

My commission expires on _____

Pursuant to N.J.A.C. 6A:22-1.1 et seq., a district board of education shall admit the following students to its schools: (1) any student domiciled within the district; (2) any student kept in the home of a person other than the student's parent or legal guardian where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child; (3) any student kept in the home of a person domiciled in the district, other than the parent or legal guardian where the parent or legal guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency; (4) any student whose parent or legal guardian temporarily resides within the district not solely for purposes of a student's attending school within the district of temporary residence; (5) any student whose parent or guardian moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6:5, "Provisions for the Education of Homeless Children and Youth"; (6) any student placed in the home of a district resident by court order pursuant to N.J.S.A. 18A:38-2; (7) any student previously residing in the district if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered into active service in time of war or national emergency pursuant to N.J.S.A. 18A:38-3(b); and (8) any student residing on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Any initial determination of the student's eligibility to attend school in this district is subject to more thorough review and subsequent re-evaluation, and tuition may be assessed in the event that an initially admitted student is later found ineligible. If your child is found ineligible, now or later, you will be provided the reasons and instructions on how to appeal.

TENANT FORM B
AFFIDAVIT OF RESIDENCY OF LANDLORD/OWNER
(Student As Additional Resident)

STATE OF NEW JERSEY)
) ss.
COUNTY OF MIDDLESEX)

To: The North Haledon Board of Education

This Affidavit of Residency of Landlord/Owner is to be completed by landlord/owner in North Haledon in instances where additional individuals reside with the original tenant.

I, _____, of full age, being duly sworn according to
 (Name of landlord/owner)
law, depose and say:

1. I am the landlord/owner of the premises located at _____,
North Haledon, New Jersey.

2. I am aware that the _____ family has moved in with _____, who is
the tenant of this premises.

3. The following school-age child resides at the premises with the above-named tenant
(Print name of child living with tenant below):

Signature of Landlord/Owner

Sworn and Subscribed to me
on this _____ day of _____, _____

A Notary Public of the State of New Jersey
My commission expires on _____

PLEASE NOTE: Pursuant to N.J.S.A. 2C:28-2, a person who makes a false statement under oath or equivalent affirmation when he or she does not believe the statement to be true is guilty of a crime of the fourth degree. The North Haledon Board of Education may prosecute those who provide false information.

STATEMENT OF SPECIAL CIRCUMSTANCES

Please indicate if any of the following apply.

_____ The student is the child of a parent or guardian who has moved to another District as the result of being homeless.

_____ The student has been placed in the home of a District resident other than the parent or guardian by court order. (You will be required to provide a copy of the order.)

_____ The student is living with a parent or guardian who is temporarily residing in the District.

_____ The student has been placed in the District by the Division of Youth and Family Services acting as the student’s legal guardian.

_____ The student is a child of a parent or guardian who previously resided in the District and is a member of the New Jersey National Guard or the United States reserves ordered into active service in time of war or national emergency.

_____ The student is kept in the home of a person domiciled in the District other than the parent or legal guardian, and the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. If this applies, when is the parent or guardian expected to return from active military duty? _____

_____ The student resides on federal property. Where? _____

_____ The student’s circumstances do not appear to be addressed anywhere in this application. I understand that I will be contacted for further information.

Parent/Guardian/Applicant

Date

Pursuant to N.J.A.C. 6A:22-1.1 et seq., a district board of education shall admit the following students to its schools: (1) any student domiciled within the district; (2) any student kept in the home of a person other than the student’s parent or legal guardian where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child; (3) any student kept in the home of a person domiciled in the district, other than the parent or legal guardian where the parent or legal guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency; (4) any student whose parent or legal guardian temporarily resides within the district not solely for purposes of a student’s attending school within the district of temporary residence; (5) any student whose parent or guardian moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6:5, “Provisions for the Education of Homeless Children and Youth”; (6) any student placed in the home of a district resident by court order pursuant to N.J.S.A. 18A:38-2; (7) any student previously residing in the district if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered into active service in time of war or national emergency pursuant to N.J.S.A. 18A:38-3(b); and (8) any student residing on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Any initial determination of the student’s eligibility to attend school in this district is subject to more thorough review and subsequent re-evaluation, and tuition may be assessed in the event that an initially admitted student is later found ineligible. If your child is found ineligible, now or later, you will be provided the reasons and instructions on how to appeal.

**DIRECTIONS FOR APPEALING A LOCAL BOARD'S RESIDENCY DETERMINATION
TO THE COMMISSIONER OF EDUCATION**

Statute provides for appeals of school District residency determinations to be filed within **21 days of the date of the District's decision**.^{*} Therefore, time is of the essence and persons seeking to appeal should, if necessary, receive assistance from their county offices of education. Please note that where appeal is taken from a determination of ineligibility under *N.J.S.A.* 18A:38-1(b)1 ("affidavit of domicile" students), such appeal shall be filed by the resident making the claim of entitlement, not by the parent or legal guardian.

There are two ways in which a parent/guardian/resident/adult student may file an appeal with the Commissioner: 1) He/she may submit a standard Petition of Appeal in accordance with *N.J.A.C.* 6A:3-1.3 and 1.4, or 2) in the case of a petitioner acting without legal representation ("*pro se*"), he/she may instead submit a letter petition in accordance with *N.J.A.C.* 6A:3-8.1. Both methods of filing are described below. In either case, petitioners should be aware that they are initiating an agency hearing procedure where they or their counsel will most likely be required to present testimony and evidence in support of their claim before a judge of the Office of Administrative Law (OAL). For more information about this process, petitioners are urged to visit the OAL website at <http://www.state.nj.us/oal/hearings.html>.

STANDARD PETITION OF APPEAL (N.J.A.C. 6A:3-1.3 and 1.4)

The regulations for filing Petitions of Appeal may be obtained at a library, the local school district, the county office of education, the Department of Education's website (at <http://www.state.nj.us/njded/code/title6a/chap3/>) or by mail from the Bureau of Controversies and Disputes (609-292-5705).

A standard Petition of Appeal includes: 1) The **petition** itself; 2) a **verification** and 3) **proof that petitioner has served the respondent** (Board of Education) with a copy of the Petition of Appeal.

Petition: A petition is a written document, submitted in original with two copies, including the following:

- a. Name, address, telephone number and fax number, if available, of the petitioner;
- b. Name and address of the respondent (Board of Education);
- c. Petitioner's allegations and specific facts supporting them;
- d. Signature of the petitioner or his/her attorney; and
- e. Date when the petition is prepared.

Verification: A petition must verify the facts alleged. This means that the petitioner must write or type the statement contained in *N.J.A.C.* 6A:3-1.4 indicating that he/she, as petitioner, attests that the facts contained in the petition are true to the best of his/her knowledge. He/she must then sign the statement and have it notarized.

Proof of Service: A copy of the petition must be served upon each respondent (*N.J.A.C.* 6A:3-1.3). In the case of residency disputes, the Board of Education will be served. A copy should be submitted to the office of the Board Secretary or the Board's attorney, if known. The petitioner should also submit to the Bureau of Controversies and Disputes, with the Petition of Appeal, proof that respondent was served. That proof may be:

- a. An acknowledgment of service (a "receipt") signed by the attorney for the respondent (Board) or signed and acknowledged by the respondent (Board) or its agent (e.g., the Board Secretary) indicating the address at which the respondent was served;

^{*} Where an appeal is filed within 21 days of the date of the District's decision, *N.J.S.A.* 18A:38-1 provides that no child shall be denied admission during the pendency of the proceedings before the Commissioner. The child shall not be removed from school during the 21-day period in which the interested party may contest the District's decision. However, if in the judgment of the Commissioner the evidence does not support the claim of the petitioner, or if the appeal is withdrawn or abandoned, the petitioner may be assessed tuition for the student prorated to the time of the student's ineligible attendance in the school district. Appeals may be filed after expiration of the 21-day period, but the student's right to attend school during the pendency of the appeal is not guaranteed by operation of statute and the petitioner must submit an application for emergent relief in accordance with *N.J.A.C.* 6A:3-1.6.

- b. A sworn affidavit of the person making service (mailing or delivering the petition), indicating the address at which the respondent was served;
- c. A Certificate of Service signed by the attorney making service (mailing or delivering the petition) indicating the address at which the respondent was served;
- d. A copy of petitioner's receipt for certified mailing to respondent. The return receipt (green card) is not required for proof of service.

An original and two copies of a standard Petition of Appeal must be submitted to the address in the box below. The Bureau of Controversies and Disputes will acknowledge the petition in writing.

LETTER PETITION (N.J.A.C. 6A:3-8.1)

Petitioners who are not represented by an attorney ("pro se") may submit a letter petition instead of the standard Petition of Appeal as described above, provided the letter contains the following information:

- a. Petitioner's name, address, telephone number, and fax number where available;
- b. The name of the respondent board of education;
- c. A clear indication that the party is appealing a determination of ineligibility to attend school in the District based on residency or domicile, identifying the date of the District's decision and including, where possible, a copy of the District's written determination of ineligibility; and
- d. A signed statement that the petitioning party's claim of entitlement is based upon facts which are true to the best of petitioner's knowledge and belief.

Please Note: Sample letter petition forms are available from your District or the Office of the County Superintendent.

Appeals from *pro se* petitioners need not be submitted in triplicate or served upon the respondent District board of education. While *pro se* petitioners may serve their petitions on the Board, they may also effectuate service through the Bureau of Controversies and Disputes. Upon receipt of any *pro se* residency appeal which has not been served on the Board, the Bureau will transmit a copy of the letter petition to the Board via fax, together with notice of the Board's obligation to answer the letter petition pursuant to *N.J.A.C. 6A:3-1.5*, and to effectuate, as required by *N.J.S.A. 18A:38-1*, the attendance of petitioner's child pending the outcome of the appeal.

Letter petitions must be submitted to the address in the box below. The Bureau of Controversies and Disputes will acknowledge the petition in writing.

ALL PETITIONS SHOULD BE SUBMITTED TO:

Commissioner of Education
 c/o Director of the Bureau of Controversies and Disputes
 New Jersey State Department of Education
 100 Riverview Plaza
 P.O. Box 500
 Trenton, NJ 08625-0500
 A petition may be faxed, with hard copy following by mail, to 609-292-4333.

Following submission of a proper petition, the Board will be required to file an answer and, in most cases, the next step will be a hearing before a judge at the Office of Administrative Law, leading to an initial decision containing the judge's recommended findings of fact and conclusions of law. The Commissioner will then review the matter and issue a final decision, which may be appealed to the State Board of Education, and thereafter to the courts.

Please Note: These instructions do not constitute legal advice, nor are they meant to take the place of applicable statute or regulation which should be consulted by petitioners and will take precedence over these instructions if procedural issues arise in any appeal. These instructions are intended solely as an aid in preparation and submission of an appeal petition.

