

529-04

OAL DKT. NO. EDU 8384-02 (http://lawlibrary.rutgers.edu/oal/html/initial/edu08384-02_1.html)

AGENCY DKT. NO. 309-9/02

JUDY A. MAZZEO, :
 :
 PETITIONER, :
 :
 V. : COMMISSIONER OF EDUCATION
 :
 BOARD OF EDUCATION OF THE TOWNSHIP : DECISION
 OF BARNEGAT, OCEAN COUNTY, :
 :
 RESPONDENT. :
 _____ :

The record of this matter and the Initial Decision of the Office of Administrative Law have been reviewed. No exceptions were filed by the parties.

Upon a careful and independent review of the record in this matter, the Commissioner concurs with the findings and conclusions of the Administrative Law Judge (ALJ) in his Order of May 27, 2004, adopted by the ALJ as the Initial Decision in this matter. Such Order found that the Board had violated petitioner's tenure rights and, therefore, ordered petitioner reinstated to her former position of principal, together with any and all back pay, benefits and other emoluments. The Commissioner further concurs that the effect of correspondence from petitioner's counsel, dated June 30, 2004, September 8, 2004 and November 9, 2004, is to withdraw petitioner's claim to the position of Supervisor of Basic Skills, together with any and all back pay, benefits and other emoluments relating to that position.¹

Accordingly, the Initial Decision of the ALJ is adopted for the reasons expressed therein.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: December 23, 2004

Date of Mailing: December 23, 2004

¹ The Commissioner emphasizes that petitioner did not object to the characterization of this correspondence in the Initial Decision as a withdrawal of her claim to the position of Supervisor of Basic Skills.

² This decision 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.*