

#395-08 (OAL Decision: Not yet available on-line)

BOARD OF EDUCATION OF THE	:	
BOROUGH OF ALPINE, BERGEN	:	
COUNTY,	:	
	:	
PETITIONER,	:	COMMISSIONER OF EDUCATION
	:	
V.	:	DECISION
	:	
LEONID YUZ,	:	
	:	
RESPONDENT.	:	

SYNOPSIS

Petitioning school district sought to suspend the certificate of respondent pursuant to *N.J.S.A. 18A:26-10* and *N.J.A.C. 6A:9-17.9(a)* for not providing adequate notice of resignation from his contract to teach mathematics during the 2005-2006 school year. Respondent claimed that he was not legally bound by the contract because he never received a fully executed copy of same; further, he contended that he had relied on oral representations allegedly made by the superintendent that there would be no negative repercussions for resigning his teaching position without the standard 60-day notice.

The ALJ found that: the material facts in this matter are undisputed; unrefuted proofs establish the validity of the teaching contract respondent signed with the district; and respondent violated the statutory sixty day notice requirement when he resigned in order to obtain a higher paid position for personal gain. Accordingly, the ALJ determined that respondent is guilty of unprofessional conduct pursuant to *N.J.S.A. 18A:26-10*, and ordered that his teaching certificate be suspended for a period of one year.

Upon a thorough and independent review, the Commissioner adopted the Initial Decision as the final decision in this matter, and forwarded a copy of the decision to the State Board of Examiners.

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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September 23, 2008

OAL DKT. NO. EDU 1116-06
AGENCY DKT. NO. 324-11/05

BOARD OF EDUCATION OF THE	:	
BOROUGH OF ALPINE, BERGEN	:	
COUNTY,	:	
	:	
PETITIONER,	:	COMMISSIONER OF EDUCATION
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	:	
RESPONDENT.	:	

The record of this matter and the Initial Decision have been reviewed. No exceptions were filed by the parties. For the reasons set forth therein, the Commissioner adopts the Initial Decision of the Office of Administrative Law as the final decision in this case. A copy of this decision shall be forwarded to the State Board of Examiners for the purpose of effectuating this order.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: September 23, 2008

Date of Mailing: September 23, 2008

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, *c.* 36.