

EDU #9789-95
C # 159-97
SB # 44-97

FRANK ALVES, :
PETITIONER-APPELLANT, :
V. : STATE BOARD OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
TOWNSHIP OF MAHWAY, BERGEN :
COUNTY, :
RESPONDENT-RESPONDENT. :

Decided by the Commissioner of Education, April 2, 1997

For the Petitioner-Appellant, Robert M. Schwartz, Esq.

For the Respondent-Respondent, Sullivan & Sullivan (Mark G. Sullivan, Esq.,
of Counsel)

The decision of the Commissioner of Education is affirmed for the reasons expressed therein.¹ We add only that there is no indication in the record that the Board submitted the unrecognized position titles at issue herein to the county superintendent for approval and for a determination of the appropriate certification, as required by N.J.A.C. 6:11-3.3(b). Consequently, we remind the Board of such obligation and, in the event that it has not already done so, we direct the Board to immediately submit a

¹ We note that the instant appeal is limited to the position of Director of Special Education, Grades 6-12/Director of Student Services since petitioner is no longer asserting a tenure claim to the position of Coordinator of Technology/School Librarian. See Brief in Support of Appeal, at 3.

written request for permission to use each of these unrecognized titles to the county superintendent, along with a detailed job description for each title.

August 6, 1997

Date of mailing _____