

PHILIP LEONG, PAUL JOHNSON, ERMELINDA :
IOSCA, IRIS MARTINEZ-ARROYO, YVONNE :
GOYINS, REGINALD TATE, VERA P. ALLEN :
AND RAMANAND DURGA,

PETITIONERS,

V.

COMMISSIONER OF EDUCATION

STATE-OPERATED SCHOOL DISTRICT OF
THE CITY OF NEWARK, ESSEX COUNTY,

DECISION

RESPONDENT.

_____ :

SYNOPSIS

Petitioners, employees of the Newark Board prior to takeover, argued that, upon abolishment of their central office administrative or supervisory positions, they were entitled to school-based supervisory or teaching positions.

ALJ granted Board's motion for summary decision, determining that when a central office supervisory position is abolished pursuant to *N.J.S.A. 18A: 7A-44c*, all tenure and seniority rights to and originating from that position are also abolished. Thus, petitioners were properly terminated. Petitioners retained only tenure and seniority rights which were not attained in connection with their former central office supervisory positions.

Commissioner adopted findings and determination in initial decision as his own. Matter was dismissed.

June 14, 1999

OAL DKT. NOS. EDU 10921-96; 10922-96; 10923-96; 10924-96; 10925-96; 10926-96;
10927-96 AND 10934-96 (CONSOLIDATED)
AGENCY DKT. NOS. 497-11/96; 498-11/96; 492-11/96; 486-11/96; 495-11/96; 493-11/96;
494-11/96 AND 496-11/96

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The record of this matter and the initial decision of the Office of Administrative Law have been reviewed. The parties did not file exceptions.

Upon careful and independent review of the record in this matter, the Commissioner concurs with the findings and conclusions of the Administrative Law Judge. Accordingly, the initial decision is affirmed for the reasons expressed therein.*

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

June 14, 1999

* This decision, as the Commissioner's final determination in the instant matter, 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. 6:2-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.