



State of New Jersey  
DEPARTMENT OF EDUCATION  
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Governor

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Lt. Governor

DR. LILY LAUX  
Commissioner

March 25, 2026

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**Re: Joseph Muniz v. Board of Education of the Hudson County Schools of Technology, Hudson County, Agency Dkt. No. 216-6/25, Commissioner Decision No. 36-26**

Dear Parties:

I have reviewed the materials filed in connection with petitioner's motion for reconsideration of the Commissioner's January 29, 2026, decision in the above-captioned matter.

Pursuant to *N.J.A.C. 6A:3-1.15(b)(2)*, a motion for reconsideration shall be determined based on the following:

- i. claim(s) of mistake, provided, however, that disagreement with the outcome of a decision, or with the analysis upon which it is based, shall not constitute "mistake" for purposes of this section;
- ii. newly discovered evidence likely to alter the outcome of a matter, where such evidence could not have been previously discovered by due diligence;
- iii. newly ascertained misrepresentation or other misconduct of an adverse party, where such misrepresentation could not have been previously known; or
- iv. reversal of a prior judgment on which the present matter is based.

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Upon review and consideration of the submissions, I find that petitioner has failed to satisfy the factors set forth in *N.J.A.C. 6A:3-1.15(b)(2)*. Instead, petitioner has expressed disagreement with the outcome of the decision and the analysis upon which it based.

In this case, the Commissioner determined that petitioner relinquished his tenure rights in the Assistant School Business Administrator position when he voluntarily accepted the Board Secretary position and, therefore, cannot now claim “bumping rights” related to the Assistant School Business Administrator position. Petitioner disagrees with the Commissioner’s application of the holding in *DiNapoli v. Board of Education of the Township of Verona*, 434 N.J. Super. 233 (App. Div. 2014), to the present matter. In addition, petitioner disagrees with the Commissioner’s interpretation of *N.J.S.A. 18A:17-2*. The contentions set forth by petitioner in his motion papers were previously made, considered, and rejected by both the Administrative Law Judge and the Commissioner. While petitioner may disagree with the outcome of the case, that is not a sufficient basis for reconsideration.

Furthermore, the Commissioner determined that the petition did not contain any factual allegations which, if proven, would warrant the conclusion that respondent’s reduction in force violated *N.J.S.A. 18A:28-9* or any other law or regulation. To the extent petitioner’s motion attempts to expand the scope of his petition by alleging that the Commissioner should have considered whether the reduction in force was done in bad faith, the Commissioner finds that to be an insufficient basis upon which to grant reconsideration. *N.J.A.C. 6A:3-1.15(b)(2)*.

Accordingly, petitioner’s motion for reconsideration of the Commissioner’s January 29, 2026, decision is hereby denied.

Sincerely,



Dr. Lily Laux  
Commissioner

LL/js

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