

EDU #7135-98
C # 330-00
SB # 64-00

IN THE MATTER OF THE TENURE :
HEARING OF MANUEL SANTIAGO, : STATE BOARD OF EDUCATION
SCHOOL DISTRICT OF THE CITY : DECISION
OF ELIZABETH, UNION COUNTY. :

Decided by the Commissioner of Education, October 2, 2000

For the Respondent-Appellant, Bucceri & Pincus (Gregory T. Syrek, Esq.,
of Counsel)

For the Petitioner-Respondent, Murray, Murray & Corrigan (David F. Corrigan,
Esq., of Counsel)

The decision of the Commissioner of Education to dismiss the respondent from his tenured custodial position for unbecoming conduct is affirmed for the reasons expressed therein. Given the gravity of the charges against the respondent—possession of marijuana and cocaine with intent to distribute within 1,000 feet of a school—we agree with the Commissioner that dismissal is the appropriate penalty. We reiterate, in addition, that although the position of school custodian does not carry with it responsibility for the care, supervision or instruction of students, such position does provide an individual with significant access to children.

Dr. Orlando Edreira abstained.

March 7, 2001

Date of mailing _____