

IN THE MATTER OF THE EQUIVALENCY :
GRANTED TO THE BOARD OF EDUCATION : STATE BOARD OF EDUCATION
OF THE TOWNSHIP OF SOUTH : DECISION
BRUNSWICK, MIDDLESEX COUNTY. :

Decided by the Commissioner of Education, March 28, 2002

For the Appellant, Zazzali, Fagella, Nowak, Kleinbaum & Friedman
(Richard A. Friedman, Esq., of Counsel)

For the Respondent Board of Education of the Township of South
Brunswick, Parker, McCay & Criscuolo, P.A. (David W. Carroll,
Esq., of Counsel)

For the Respondent Commissioner of Education, Allison Colsey Eck,
Deputy Attorney General (David Samson, Attorney General of New
Jersey)

On March 28, 2002, the Commissioner of Education granted the application filed by the Board of Education of the Township of South Brunswick (hereinafter "Board") for an equivalency or waiver to "permit evaluation of tenured staff members through a comprehensive model including areas such as action research, peer coaching, mentoring and portfolio assessment." The South Brunswick Education Association (hereinafter "appellant") filed an appeal with the State Board of Education challenging that approval.

On September 27, 2002, the parties submitted a proposed settlement agreement in which the Board agreed that it would not utilize the waiver granted by the Commissioner, and the appellant agreed to withdraw its appeal.

We have reviewed the proposed settlement and find it to be in accord with the principles expressed in In re Cardonick, decided by the State Board of Education, April 6, 1983. We therefore approve the settlement in this matter.

November 6, 2002

Date of mailing _____