



In the matter of the Tenure Hearing
of Maureen Ivers, School District of the
Township of Middletown, Monmouth
County,

OAL DOCKET NO. EDU 8157-12
AGENCY DOCKET NO. 139-5/12

Maureen Ivers,

Complainant,

OAL DOCKET NO. CRT 13527-12
DCR DOCKET NO. EN31HE-63275
EEOC CHARGE NO. 17E-2012-00537

v.

Board of Education Township of
Middletown, Monmouth County

Administrative Action

**Consolidated Order Approving
Settlement**

Respondent.

Steven R. Cohen, Esq., for the petitioner/complainant Maureen Ivers (*Selikoff & Cohen, attorneys*).

Christopher B. Parton, Esq., for the respondent Board of Education, Township of Middletown,
Monmouth County (*Kenney, Gross, Kovats, & Parton, attorneys*).

Beverley A. Lapsley, Deputy Attorney General, monitoring this matter on behalf of the Division on
Civil Rights (*Jeffrey S. Chiesa, Attorney General*).

BY THE DIRECTOR:

This consolidated matter comes before the Director of the Division on Civil Rights (DCR) pursuant to a verified complaint filed with DCR by Maureen Ivers (Complainant) on August 8, 2012. In her verified complaint, Complainant alleged that the Board of Education of the Middletown Township School District (Board) refused to reasonably accommodate her disability in violation of the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49.

Complainant filed a corresponding charge under federal law with the Equal Employment Opportunity Commission (EEOC). Pursuant to a work-sharing agreement between EEOC and DCR, Complainant waived further processing of her EEOC charge pending the DCR's investigation

of her LAD complaint.

The Board previously had filed tenure charges against Ivers on May 17, 2012, with the Commissioner of the Department of Education ("DOE"). The DOE matter was transmitted to the Office of Administrative Law for a hearing on June 6, 2012, and assigned to Administrative Law Judge Lisa James-Beavers.

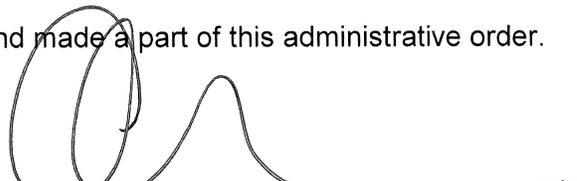
Prior the completion of DCR's investigation of her LAD complaint, Complainant asked DCR to transmit her complaint to the OAL for a hearing pursuant to N.J.S.A. 10:5-13. The case was received and filed by the OAL on October 9, 2012. The DCR matter was also assigned to ALJ James-Beavers.

The parties prepared a settlement agreement that resolved all issues in dispute in the DOE and DCR matters. The executed settlement agreement was received and filed by the OAL on January 7, 2013, at which time the record closed. The ALJ issued an initial decision on January 9, 2013, approving the settlement and dismissing the verified complaint and tenure charges. The consolidated matter was sent to the Commissioner of DOE to take whatever action he felt appropriate. On February 26, 2013, the Commissioner issued an Order adopting the initial decision and settlement agreement, and dismissing the tenure charges. The matter was sent to the DCR for the issuance of the instant order.

WHEREFORE, having reviewed the pleadings, the initial decision which incorporates by reference the settlement, and the Order of the Commissioner of the DOE, the Director finds good cause to adopt the ALJ's initial decision approving the settlement and dismissing the verified complaint. Accordingly, the parties are ordered to comply with the terms of the settlement and the complaint is hereby **DISMISSED WITH PREJUDICE**. The initial decision and the settlement agreement are incorporated herein by reference and made a part of this administrative order.

DATED:

3-22-13


CRAIG SASHIHARA, DIRECTOR
NJ DIVISION ON CIVIL RIGHTS