

ADAMU S. BRAIMAH, SR.,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
STATE-OPERATED SCHOOL DISTRICT	:	
OF THE CITY OF NEWARK, ESSEX	:	DECISION
COUNTY,	:	
	:	
RESPONDENT.	:	
	:	
_____	:	

SYNOPSIS

Petitioner, former principal, alleged the Board violated his tenure rights when it assigned him to a vice principal position.

The ALJ concluded that petitioner did not attain tenure as principal pursuant to *N.J.S.A.* 18A:28-6(a). The ALJ found that petitioner was appointed to the position on August 22, 2000 and served until August 12, 2002, a period that plainly falls short of the two calendar years required by statute. Moreover, the ALJ concluded that petitioner failed to serve the required length of time mandated by *N.J.S.A.* 18A:28-6(b) as defined in academic years and, thus, he was not entitled to tenure under this statutory provision. Petition was dismissed.

The Commissioner adopted the Initial Decision as his own.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.
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March 1, 2004

OAL DKT. NO. EDU 1361-03  
AGENCY DKT. NO. 295-9/02

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The record of this matter and the Initial Decision of the Office of Administrative Law been reviewed. Petitioner’s exceptions and the District’s reply thereto are duly noted as submitted in accordance with *N.J.A.C.* 1:1-18.4.<sup>1</sup>

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 adopted for the reasons expressed therein.

IT IS SO ORDERED.<sup>2</sup>

COMMISSIONER OF EDUCATION

Date of Decision: March 1, 2004

Date of Mailing: March 1, 2004

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<sup>1</sup> Both the exceptions and the reply thereto essentially reiterate arguments which were presented in papers previously considered by the Administrative Law Judge.

<sup>2</sup> This decision 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.* 6A:4-1.1 *et seq.*