

STATE OF NEW JERSEY  
DEPARTMENT OF EDUCATION  
OFFICE OF THE COMMISSIONER

In the matter of the Tenure Arbitration between:

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The State-Operated School District  
of the City of Paterson, New Jersey

and

Ronald Pearson  
Agency Docket No. 249 - 9/15

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The respondent, Ronald Pearson, a tenured teacher in the Paterson School District, had been charged with inefficiency and was suspended. The respondent denied that the charges made by the District were justified. Pursuant to N.J.S.A.18A:6-17.2, the matter was moved to arbitration and Stephen J. Rosen appointed to hear the dispute.

On November 6, 2015, a Pre-Hearing conference was held. The District was represented by Brenda C. Liss, Esq. of the law firm Riker Danzig. The respondent was represented by Sandford R. Oxfeld, Esq., of the law firm Oxfeld Cohen, P.C. Among other matters discussed the parties agreed to schedule hearings on December 4 and 22, 2015.

In a letter dated November 23, 2015, Mr. Oxfeld informed me that Mr. Pearson had retained the law firm Krumholz and Dillon and would be instituting action in Federal Court based upon claims of discrimination.

Mr. Oxfeld noted that N.J.S.A.18A:6-17.2 makes reference to the claim(s) Mr. Pearson would put forth in Federal Court. In consideration of this development, Attorney Oxfeld requested that the hearings be adjourned and held in abeyance pending outcome of the

civil suit. Ms. Liss asked that the matter not be adjourned and be heard on the dates agreed to by the parties.

In response to the opposing requests, I decided that the hearings proceed as scheduled. The parties were reminded that specific time constraints are contained in N.J.S.A.18A:6-17.2 for the resolution of tenure charges for inefficiency. In addition, the statute allows the respondent an opportunity to submit allegation(s) of discriminatory motive(s) to the arbitrator that materially affected the outcome of evaluations. Given these considerations, I informed the parties that the hearing proceed as scheduled.

On December 2, 2015, Mr. Pearson informed Mr. Oxfeld that he decided to resign his position as teacher in the Paterson School District. On the same day, Ms. Liss conveyed that the District had accepted Mr. Pearson's resignation. Based upon Mr. Pearson's resignation the matter is deemed moot.

12/16/15  
Date

Stephen J. Rosen  
Stephen J. Rosen

State of New Jersey }  
County of Essex } ss:

On this 16th day of December, 2015, before me personally came and appeared Stephen J. Rosen to me known and known to be the individual described herein, who executed the foregoing document and acknowledged to me that he executed same.

*Susan G. Rosen*  
**SUSAN G. ROSEN**  
**NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires 8/4/2019**