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SUSPENSION UPON CERTIFICATION OF TENURE CHARGE

Upon certification of any tenure charge to the commissioner of education, the Passaic Board of Education may suspend the person against whom such charge is made, with or without pay. However, if the determination of the tenure charge by the arbitrator is not made within one hundred twenty calendar days after certification of the tenure charges, excluding all delays which are granted at the request of such person, then the full salary (except for said one hundred and twenty days) of such person shall be paid beginning on the one hundred twenty-first day until such determination is made.

Should the tenure charge be dismissed at any stage of the process, the person shall be reinstated immediately with full pay from the first day of such suspension. Should the tenure charge be dismissed at any stage of the process and the suspension be continued during an appeal, then the full pay or salary of such person shall continue until the determination of the appeal. However, the board shall deduct from said full pay or salary any sums received by such employee or officers by way of pay or salary from any substituted employment assumed during such period of suspension.

Should the charge be sustained on the original hearing or an appeal, and should such person appeal from the same, then the suspension may be continued unless and until such determination is reversed, in which event the employee or officer shall be reinstated immediately with full pay from the date of such suspension.

First Reading: November 3, 2016  
Second Reading: November 21, 2016  
Adopted: November 21, 2016

Key Words

Tenure Charges, Suspension

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|---------------------------------|---|---|
| <b><u>Legal References:</u></b> | <u>N.J.S.A.</u> 18A:4-15                | General rule-making power   |
|                                 | <u>N.J.S.A.</u> 18A:4-16                | Incidental powers conferred   |
|                                 | <u>N.J.S.A.</u> 18A:6-10 <u>et seq.</u> | Dismissal and reduction in compensation of persons under tenure in public school system |
|                                 | <u>N.J.S.A.</u> 18A:6-11                | Written charges, statement of evidence, filing, statement of position                   |
|                                 | <u>N.J.S.A.</u> 18A:6-14                | Suspension upon certification of charge; compensation; reinstatement                    |
|                                 | <u>N.J.S.A.</u> 18A:6-16                | Proceedings before the commissioner   |

SUSPENSION UPON CERTIFICATION OF TENURE CHARGE (continued)

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|---|---|
| <u>N.J.S.A.</u> 18A:6-17 <u>et seq.</u> | Board of education a party; conduct if hearing            |
| <u>N.J.S.A.</u> 18A:6-117 <u>et seq</u> | Teacher Effectiveness and Accountability for the Children |

**Possible****Cross References:**

|                |  |
|----------------|--|
| *2130          | Administrator evaluation                       |
| *2131          | Superintendent of schools                      |
| 4110           | Tenure   |
| 4110.1         | Certification of tenure charges - inefficiency |
| *4112.6/4212.6 | Personnel records                              |
| *4115          | Supervision                                    |
| *4116          | Evaluation of teaching staff members           |
| *4215          | Supervision                                    |
| *4216          | Evaluation of support staff members            |

\*Indicates policy is included in the Critical Policy Reference Manual.