

EDU #11167-96
C # 650-97
SB # 5-98

IN THE MATTER OF THE TENURE :
HEARING OF VINCENT MARTONE, :
STATE-OPERATED SCHOOL DISTRICT : STATE BOARD OF EDUCATION
OF THE CITY OF JERSEY CITY, : DECISION
HUDSON COUNTY. :

Decided by the Commissioner of Education, December 18, 1997

For the Petitioner-Respondent, Ken Iwama, Esq.

For the Respondent-Appellant, Bucceri & Pincus (Louis P. Bucceri, Esq., of
Counsel)

The decision of the Commissioner of Education dismissing respondent from his tenured employment as a result of unbecoming conduct is affirmed substantially for the reasons expressed therein. On the basis of our own review, we agree with the credibility determinations of the Administrative Law Judge. We stress in that regard that respondent misled State investigators when he was first questioned about whether he had kept a copy of the 1995 Early Warning Test and had given a copy to another staff member. School personnel had previously been notified that they were not permitted to possess or distribute copies of that test. The record also indicates that during the course of that investigation, respondent destroyed a copy of the test he had in his possession.

May 6, 1998

Date of mailing _____