

EDU #10490-98  
C # 121-99  
EDU # 2680-99  
C # 230-99  
SB # 37-99

IN THE MATTER OF THE TENURE :  
HEARING OF TIMOTHY KASONY, :  
SCHOOL DISTRICT OF THE TOWNSHIP : STATE BOARD OF EDUCATION  
OF LAWRENCE, MERCER COUNTY. : DECISION

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Remanded by the Commissioner of Education, April 22, 1999

Decided by the Commissioner of Education, July 22, 1999

For the Petitioner-Respondent, Carroll, Weiss & Josephson (James F. Schwerin, Esq., of Counsel)

For the Respondent-Appellant, Bergman & Barrett (Michael T. Barrett, Esq., of Counsel)

The decision of the Commissioner of Education is affirmed for the reasons expressed therein. We stress in that regard that the respondent has provided no evidence regarding his current medical condition or his ability to return to work. Nor has he provided any information regarding the status of his application to the Division of Pensions and Benefits for a disability retirement. We note further, as pointed out by the Commissioner, that the respondent chose to proceed to a hearing on the merits of this matter rather than requesting that it be placed in abeyance—an option offered by the Commissioner in his decision of April 22, 1999—pending a determination of the respondent's application for a disability retirement.

January 5, 2000

Date of mailing \_\_\_\_\_