

EDU #3620-01
C # 305-03
SB # 30-03

IN THE MATTER OF THE TENURE :
HEARING OF SABINO VALDES, :
BOARD OF EDUCATION OF THE : STATE BOARD OF EDUCATION
CITY OF UNION CITY, HUDSON : DECISION
COUNTY. :

Decided by the Commissioner of Education, June 24, 2003

Decided by the State Board of Education, August 4, 2004

For the Petitioner-Respondent, Chasan, Leyner, Bariso & Lamparello
(Thomas R. Kobin, Esq., of Counsel)

For the Respondent-Appellant, Sabino Valdes, pro se

On August 4, 2004, the State Board affirmed the decision of the Commissioner to dismiss the appellant, a tenured custodial employee, from his tenured employment for insubordination and unbecoming conduct. The State Board agreed that the Union City Board of Education had demonstrated the truthfulness of the charges by a preponderance of the credible evidence and that dismissal was the appropriate penalty under the circumstances.

On August 17, 2004, the appellant filed the instant motion for reconsideration of our decision. We grant the appellant's motion. However, reconsideration of the record and review of the papers filed on the motion reinforces our decision to affirm the

Commissioner's decision. We reject as entirely without merit the arguments raised by the appellant in his motion, and we reaffirm our decision of August 4.

October 6, 2004

Date of mailing _____