

**New Jersey Commissioner of Education**  
**Final Decision**

Askiaa J. Nash,

Petitioner,

v.

Board of Education of the City of Newark, Essex  
County,

Respondent.

The petition filed in this matter and the motion to dismiss filed by the Newark Board of Education (Board) have been reviewed and considered. Petitioner did not file any opposition to the Board's motion, despite being given the opportunity to do so.

Petitioner was employed by the Board as an educational media specialist from 1993 to 2001, when he was terminated following a criminal indictment. In 2013, after the indictment was dismissed, he sought reinstatement, claiming that he was a tenured employee and was therefore wrongfully terminated. The Commissioner dismissed the petition as untimely pursuant to *N.J.A.C. 6A:3-1.3(i)*, also noting that petitioner did not acquire tenure in the district. *Askiaa Nash v. State-Operated School District of the City of Newark, Essex County*, Commissioner Decision No. 424-13 (Nov. 25, 2013) Petitioner filed additional petitions seeking reinstatement in 2016, 2021, and 2022; the petitions were all dismissed by the Commissioner, because the matter had already been fully adjudicated. *Askiaa Nash v. State-Operated School District of the*

*City of Newark, Essex County*, Commissioner Decision No. 207-17 (July 27, 2017); *Askiaa Nash v. Bd. of Educ. of the City of Newark, Essex Co., and Roger Leon, Superintendent*, Commissioner Decision No. 44-22 (Mar. 4, 2022); *Askiaa Nash v. Bd. of Educ. of the City of Newark, Essex Co.*, Commissioner Decision No. 66-23L (Mar. 9, 2023). The petition at issue in this matter once again seeks petitioner's reinstatement to his employment with the Board.

Upon review, the Commissioner concludes that this matter is barred by the doctrines of *res judicata* and collateral estoppel. The Commissioner, and the Appellate Division, have previously determined that petitioner's termination was not improper, and that he is not entitled to reinstatement to his position. Additionally, this matter is also time-barred by *N.J.A.C. 6A:3-1.3(i)*.

The Commissioner further notes that continuing to entertain this matter is an inefficient use of the Department of Education's time and resources, as well as those of the Board. Therefore, future petitions seeking petitioner's reinstatement to his teaching position with the Board will not be opened as a contested case.

Accordingly, the Board's motion to dismiss is granted. The petition of appeal is hereby dismissed.

IT IS SO ORDERED.<sup>1</sup>

  
COMMISSIONER OF EDUCATION

Date of Decision: August 11, 2025  
Date of Mailing: August 11, 2025

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<sup>1</sup> This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.