



State of New Jersey
DEPARTMENT OF EDUCATION
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

LAMONT O. REPOLLET, ED.D.
Commissioner

February 1, 2019

Via electronic (sudhanthomas@jcboe.org) & certified mail, return receipt

Mr. Sudhan Thomas, Board President
Jersey City Public School District
346 Claremont Avenue
Jersey City, New Jersey 07305

Dear Mr. Thomas:

I am in receipt of a board resolution terminating the Superintendent, Dr. Marcia Lyles, effective immediately, which the Jersey City Public School District Board of Education ("Board") passed at its public meeting last night, January 31, 2019.

The Board's action pursuant to said board resolution violated *N.J.S.A. 18A:17-20.2*, which provides that a superintendent ***cannot be dismissed during the term of an employment contract with a board*** without a hearing that results in a determination that the superintendent may be terminated. Dr. Lyle's contract with the Board does not expire until June 30, 2020 and the Board did not follow the procedures required by law.

For the early termination of a superintendent's contract, there is a procedure set forth in *N.J.S.A. 18A:17-20.2a* and *N.J.A.C. 6A:23A-3.2*, which requires the Board to submit an early termination agreement to the Commissioner for approval prior to any board action on the superintendent's contract. The Board did not submit an early termination agreement to the Commissioner for approval prior to passing a resolution.

For the reasons set forth above, I have determined that the board resolution terminating Dr. Lyles violates the above statutes and regulation and is, therefore, invalid and void.

Sincerely,

Melissa A. Pearce
Interim Executive County Superintendent

c: Dr. Lamont Repollet, Commissioner

Kellie I. LeDet, Chief of Staff and Assistant Commissioner for Executive Services
Robert Bumpus, Assistant Commissioner, Division of Field Services
Dr. Marcia Lyles, Superintendent
Regina Robinson, Board Secretary/Business Administrator