



# The Times

## Education chief says teacher's resignation valid

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**BY ANDREW KITCHENMAN**

TRENTON -- The chances of Beverly Jones, the whistleblower who exposed the Sherman Ave nue grading scandal, teaching in city schools again dimmed yesterday as the state education commissioner ruled Jones had agreed to resign.

Commissioner Lucille E. Davy agreed with an administrative law judge who found that Jones agreed to resign last year in ex change for the district dropping its tenure charges against her.

Jones later changed her mind and has fought to continue teaching for the district, arguing that an oral agreement with the district was not finalized.

Davy found that Administrative Law Judge Jeff S. Masin was right to conclude that a settlement was reached on Nov. 27.

Trenton school board attorney Thomas Sumners said that her conclusion was what the district was looking for.

James Creegan, the attorney for Jones, said she plans to appeal to the state Board of Education, which she must do within 30 days.

Creegan said Davy didn't consider the outside issues that led to the tenure charges and settlement negotiations.

"There has to be more of an effort to bring these things to light," said Creegan, who will request an oral argument in front of the state board.

Jones, who had been named state history teacher of the year in 2004, was suspended without pay in September 2005. This action occurred three months after she told district officials that a number of sophomores were wrongly assigned to a ninth-grade repeater program at the Sherman Avenue annex of Trenton Central High School and were forced to duplicate classes they had taken.

Creegan said it was important to remember that the settlement negotiations occurred six months before the state report triggered by Jones found that senior administrators had hurt the Sherman students by failing to act.

"For a year and a half after the 2004-2005 school year, she had been going through this and nothing had come to light," Cree gan said.

The state report, released in April, found that students were given credit for classes not taken while others were awarded credits despite being absent most of the year. One hundred twenty-six students were affected.

"This is the wrong message to send to the teachers in Trenton," Creegan said, connecting the tenure charges to her whistleblowing.

The 17 pages of tenure charges against Jones focus on claims of misconduct and insubordination.

While Masin wrote that Jones may have been vulnerable to tenure charges for "at least the manner if not the substance of some of the actions she undertook," Davy did not comment on the merit of the charges at all in her decision.

In her seven-page decision, Davy reviewed each step of the settlement, agreeing with Masin that Jones had

assented to its terms. She cited legal precedents for accepting the settlement.

Jones isn't done following up on the Sherman Avenue scandal. She recently filed a complaint against Lisa James-Beavers, the former head of the state School Ethics Commission, alleging that James-Beavers allowed the case to drag on by mismanaging documents.

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