



*New York State Archives*

**New York State Education Department Office of School  
District Employer-Employee Relations Reference File of  
Decisions in Tenured Teacher Disciplinary Cases 15953**

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## Overview of the Records

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<b>Repository:</b>	New York State Archives
<b>Summary:</b>	These hearing panel decisions of tenured teacher disciplinary cases (1971-1986) contain names of parties; names of attorney and hearing panel members; summary of the charges; summary of rulings on any motions; an "analysis of the record"; summary of transcribed proceedings; findings of fact for each charge, including the panel's reasoning; statements of guilty or not guilty for each charge; and recommendations for a penalty (if any).
<b>Creator:</b>	New York (State). Education Department. Office of School District Employer-Employee Relations
<b>Title:</b>	Education Department Office of School District Employer-Employee Relations reference file of decisions in tenured teacher disciplinary cases
<b>Quantity:</b>	8 cubic feet
<b>Inclusive Date:</b>	1971-1986
<b>Series:</b>	15953

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## Arrangement

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15953-99: Alphabetical by employee name.

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## Administrative History

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Education Law Sect. 3020-a describes the hearing procedures for public school teachers or other employees protected by tenure who are formally charged by a school district or other governing board (e.g., BOCES) with "neglect of duty, incapacity to teach, immoral conduct," or other sufficient cause. Upon receipt of charges prepared by the local district superintendent, the school board votes whether probable cause exists for preferring the charges. If the board sustains the charges, the employee is notified and has the right to a hearing on the charges. If a hearing is requested, the School District Employer-Employee Relations Unit arranges it.

A hearing panel of three members hears and decides the case. One panel member is selected by the school board, one by the employee, and the third, an arbiter employed by the American Arbitration Association, is selected by agreement of both parties (or by the commissioner of education if the parties can not agree). If the employee is found guilty of some or all of the charges, the hearing panel may recommend any of several penalties: reprimand; fine; suspension with or without pay; or dismissal. Either party may appeal, either to the commissioner of education or to the courts under Art. 78 of the Civil Practice Law and Rules.

Prior to 1977 hearing panels had only the power to recommend a decision; the school board or BOCES decided the case. Since 1977 the hearing panels' decisions have been final subject to appeal and have had the force of law.

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## Scope and Content Note

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15953-99: This accretion consists of hearing panel decisions in tenured teacher disciplinary cases ("3020-a cases") decided in the period 1971-1986. The "decision" may vary in format but always contains: the names of the parties; their attorney and hearing panel members; a summary of the charges; a summary of rulings on any motions; an "analysis of the record;" a summary of, and many times extensive quotations from transcribed proceedings; findings of fact for each charge, including the panel's reasoning; statements of guilty or not guilty for each charge; and recommendations for a penalty (if any).

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## Other Finding Aids

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### Available at Repository

15953-99: Folder list is available at the repository.

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## Use of Records

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### Access Restrictions

Access to certain records in this series is restricted pursuant to New York State Freedom of Information Law (FOIL) section 87.2(a), relating to records specifically exempted from disclosure by state or federal statute: State Education Law section 2-d (unauthorized release of personally identifiable information); federal Family Educational Rights and Privacy Act (FERPA), 20 USC section 1232g; and State Civil Rights Law section 50-B (right of privacy for victims of sex offenses). Access to certain records is also restricted pursuant to FOIL sections 87.2(b) (unwarranted invasion of personal privacy) and 87.2(g) (inter- and intra-agency materials which are not statistical or factual tabulations or data, instructions to staff that affect the public, or final agency policy or determinations).

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## Access Terms

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- Teachers--Discipline--New York (State)
- New York (State)
- Punishing educators
- Monitoring educators
- University of the State of New York
- New York (State). Education Department. Bureau of Educational Management Services