

VACATIONS

Tenured administrator entitled to payment for unused vacation days; board resolution which expressly required use of unused vacation days in specific years did not repeal prior policy of paying administrators for unused vacation days (94 N.J.A.R.2d (EDU) 12, Kirschling)

Tenured secretary, terminated for abandonment of position, entitled to payment for accrued vacation time (92 N.J.A.R.2d (EDU) 393, Lowe, rev'd St. Bd. 93 N.J.A.R.2d (EDU) 789, aff'd App. Div. 95 N.J.A.R.2d (EDU) 139)

VOCATIONAL SCHOOLS

Basing tuition charges for vocational program students on State categorical aid to which sending districts entitled was inappropriate; tuition to be calculated using correct cost apportionments and correct enrollment figures so as to represent actual cost to receiving district of educating sending students (92:Apr. 2, Maurice River v. Millville, St. Bd. rev'g & remanding to Div. of Fin. 91:363, decision on remand 95 N.J.A.R.2d (EDU) 92, aff'd St. Bd. 95 N.J.A.R.2d (EDU) 160, aff'd App. Div. 96 N.J.A.R.2d (EDU) 687, certif. den. 146 N.J. 565 (1996))

Commissioner rejects ALJ's suggestion that a program in performing arts cannot be "vocational"; rather each program must be assessed against the regulatory criterion. Gloucester County Institute of Technology (GCIT) performing arts program is an approved vocational program under then-existing and current statute, and neither absence of DOE-developed competency nor lack of meaningful placement data undermines that finding, nor is it a private vocational school. GCIT may charge tuition and non-resident fees to sending district for nonresidents pursuant to N.J.S.A. 18A:54-20.1(c) and transportation costs pursuant to N.J.S.A. 18A:39-1. (02:July 18, K.B., decision on remand) (See also, motion for emergent relief denied 97:Sept. 25; Commissioner decision 97:Dec. 29, K.B., rev'd and remanded St. Bd. 00:March 1)

District is responsible for transportation costs of student's attendance at Gloucester County Institute of Technology Academy of Performing Arts as the district does not have a comparable program available to student (97:Dec. 29, K.B., rev'd and remanded St. Bd. 00:March 1, decision on remand 02:July 18) (See motion for emergent relief denied 97:Sept. 25)

Program's inclusion in the Department of Education's Directory of Verified Occupational Educational Programs, without giving parties an opportunity to challenge designation, is insufficient to be considered a vocational program under the vocational education statute (97:Dec. 29, K.B., rev'd and remanded St. Bd. 00:March 1, decision on remand 02:July 18) (See motion for emergent relief denied 97:Sept. 25)

Sending districts and parents were acting under legislative authority in allowing students to attend a specialized vocational program not offered by receiving district (97 N.J.A.R.2d (EDU) 464, Asbury Park, aff'd St. Bd. 97:Sept. 3, aff'd App. Div. unreported decision, March 17, 1999)

Students who are accepted into county vocational schools outside their county of residence are entitled to attend such schools at no cost when a comparable program is not offered in their district or county of residence. This entitlement includes transportation (97:July 29, M.R., Commissioner's motion to participate granted and matter remanded to Commissioner by the State Board 97:Dec. 3)