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January 14, 2016

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VIA UPS SECOND DAY DELIVERY

Penns Grove-Carney's Point Regional Board of Education
c/o Brian E. Ferguson, Business Administrator/Board Secretary
Penns Grove-Carney's Point Regional School District
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Re: *In the Matter of Tenure Charges Against Ryan Tirrell,*
Penns Grove-Carney's Point Regional School District
Our File No.: 816258.15
Statement of Position

Dear Board Members:

Please be advised that this law firm represents Ryan Tirrell, a tenured member of the Penns Grove-Carney's Point Regional Board of Education's ("Board") teaching staff, in connection with the above referenced matter. In accordance with *N.J.S.A. 18A:6-11*, please consider the following as Mr. Tirrell's statement of position to the statement of tenure charges alleged against him. The TEACH NJ Act and regulation give Mr. Tirrell fifteen (15) days from the date he received the charges which he found deposited in his mailbox on January 5, 2016, in which to file a statement of position, which is permitted, but not required. Please accept this letter in lieu of a more formal statement of position.

The charges accuse Mr. Tirrell of conduct unbecoming, insubordination, incapacity and/or other just cause. Mr. Tirrell denies engaging in the conduct as stated and that his conduct rose to the level of conduct unbecoming, insubordination, incapacity and/or other just cause. Mr. Tirrell put a lot of time and effort into his classes and his negotiations on behalf of the Penns Grove-Carney's Point Education Association ("Association"). He is a long-term employee of the Board who has received positive performance reviews and classroom observations.

Mr. Tirrell denies the allegations set forth in the charges. There is a lack of substantial, credible evidence supporting the charges, and the proposed penalty is excessive. In view of the foregoing, probable cause does not exist to support the charges, nor is there sufficient basis to warrant the dismissal of Mr. Tirrell from his tenured teaching position.

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Of course, Mr. Tirrell reserves the right to assert additional procedural and substantive defenses to the tenure charges should the Board determine to proceed notwithstanding the complete lack of probable cause within the meaning of *N.J.S.A. 18A:6-11*. He further reserves all of his rights, including the right to back pay and emoluments as a result of Board action, which is simply not called for here.

Thank you for your careful consideration of this matter.

Very truly yours,
SELIKOFF & COHEN, P.A.



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c: Jeffrey R. Caccese, Esquire (via first class mail)
Ryan Tirrell (via email)