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This memorandum is uncorrected and subject to revision before  
publication in the New York Reports.  
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No. 236 SSM 25  
In the Matter of Suzanne Lozinak,  
Respondent,  
v.  
Board of Education of  
Williamsville Central School,  
Appellant.

Submitted by Edward A. Trevvett, for appellant.  
Submitted by Timothy Connick, for respondent.

\* \* \* \* \*

On review of submissions pursuant to section 500.11 of the Rules,  
order reversed, with costs, and petition dismissed. We cannot  
say that "the penalty of [termination] . . . shocks the judicial  
conscience" (Matter of Kelly v Safir, 96 NY2d 32, 40 [2001]; see  
Matter of Pell v Board of Educ. of Union Free School Dist. No. 1  
of Towns of Scarsdale & Mamaroneck, Westchester County, 34 NY2d  
222, 234-235 [1974]). Chief Judge Lippman and Judges Read,  
Smith, Pigott, Rivera and Abdus-Salaam concur.

Decided December 17, 2014