

#92-08 (See also [#134-08L](#), issued March 26, 2008, vacating this decision and remanding the matter to the OAL)

IN THE MATTER OF THE TENURE :
HEARING OF ANTHONY PARASKEVOPOULOS : COMMISSIONER OF EDUCATION
STATE OPERATED SCHOOL DISTRICT OF : DECISION
THE CITY OF NEWARK, ESSEX COUNTY. :

SYNOPSIS

Petitioning Board filed tenure charges of unbecoming conduct and other just cause against respondent, a tenured music teacher, and sought his removal from employment in the Newark Public Schools. Neither respondent nor any attorney acting on his behalf filed an answer to the petition following notice pursuant to *N.J.A.C.* 6A:3-5.3 and 6A:3-5.4.

The Commissioner concluded that the allegations – which respondent has chosen not to deny – may be deemed admitted and are sufficient to warrant removal of the respondent from his tenured position. Accordingly, the Commissioner granted summary decision to the Board, ordered respondent dismissed from his tenured position, and transmitted a copy of this decision to the State Board of Examiners for action as that body deems appropriate.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

February 28, 2008

AGENCY DKT NO. 22-1/08

IN THE MATTER OF THE TENURE :
HEARING OF ANTHONY PARASKEVOPOULOS : COMMISSIONER OF EDUCATION
STATE OPERATED SCHOOL DISTRICT OF : DECISION
THE CITY OF NEWARK, ESSEX COUNTY. :

For the District, Adam S. Herman, Esq., Office of the General Counsel

Anthony Paraskevopoulos, *Pro Se*

This matter was opened before the Commissioner of Education on January 7, 2008 through the certification of tenure charges of unbecoming conduct and other just cause by the State-operated School District of the City of Newark against Anthony Paraskevopoulos, a tenured teacher in the District.

By notice dated January 7, 2008, the Commissioner directed respondent – via both certified and regular mail, the certified copy having been signed for on January 9, 2008 – to file an Answer to the tenure charges against him. This communication clearly provided notice to respondent that, pursuant to *N.J.A.C. 6A:3-5.3* and *6A:3-5.4*, an individual against whom tenure charges are certified “*shall have 15 days from the day such charges are filed with the Commissioner to file a written response to the charges with the Commissioner,*” and that failure to answer within the prescribed period would – absent granting of an extension for good cause shown – result in the charges being deemed admitted by the charged employee. Because no

reply has been received from respondent – or any attorney on his behalf – in response to the District’s charges,¹ each count of the charges against respondent is deemed to be admitted.

The Commissioner has reviewed the tenure charges certified against respondent by the District and the statement of evidence in support of those charges, specifically:

1. Anthony Paraskevopoulos is a tenured teacher who was hired by the District on or about September 15, 2003. He has been assigned to the McKinley school as a teacher of music.

2. On or about May 7, 2007, Anthony Paraskevopoulos verbally reported to his principal, Ms. Carolyn Granato, that he observed another music teacher at McKinley school inappropriately touch students on multiple occasions.

3. Principal Granato reported the allegations made by Anthony Paraskevopoulos to the Division of Youth and Family Services.

4. Anthony Paraskevopoulos deliberately made a false statement to Principal Granato against another staff member.

5. On or about May 10, 2007, Anthony Paraskevopoulos admitted to Principal Granato that he fabricated the allegations of inappropriate touching of students by the other music teacher.

6. Anthony Paraskevopoulos either caused, and/or had the potential to cause, a severe negative impact on the District and its students, the Division of Youth and Family Services and the staff member who was the subject of Anthony Paraskevopoulos’ deliberate false statement.

7. Anthony Paraskevopoulos’ actions caused the District’s administration to divert its time and attention from educational activities while dealing with the admittedly false allegations.

8. Anthony Paraskevopoulos’ actions caused the Division of Youth and Family Services to divert its time and attention from legitimate allegations of child abuse and neglect.

(Statement of Tenure Charges certified to the Commissioner January 7, 2008, Lydia Silva, Assistant Superintendent, State-operated School District of the City of Newark)

¹ It is noted that the District effectuated proper service by overnight mail sent on January 16, 2008.

Deeming such charges to be admitted, and noting that respondent has failed to respond to the allegations against him, the Commissioner finds that the District has demonstrated that respondent is guilty of unbecoming conduct and other just cause, warranting dismissal from his tenured position.

Accordingly, summary decision is hereby granted to the District, and respondent Anthony Paraskevopoulos is dismissed from his tenured teaching position in the District's employ as of the date of this decision. A copy of this decision will be forwarded to the State Board of Examiners for action as that body deems appropriate.

IT IS SO ORDERED.²

COMMISSIONER OF EDUCATION

Date of Decision: February 28, 2008

Date of Mailing: February 29, 2008

² This decision may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*