

#169-12

IN THE MATTER OF THE TENURE :  
HEARING OF KATHRYN ROBINSON, : COMMISSIONER OF EDUCATION  
CAMDEN SCHOOL DISTRICT, :  
CAMDEN COUNTY. :  
\_\_\_\_\_ :

DECISION

SYNOPSIS

Petitioning Board filed tenure charges of excessive absenteeism and insubordination against respondent, a tenured special education teacher, and sought to terminate her employment with the district. Neither respondent nor any attorney acting on her 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, pursuant to *N.J.A.C.* 6A:3-5.4(h), the allegations – which respondent has chosen not to deny – may be deemed admitted and are sufficient to warrant termination of the respondent from her tenured position. Accordingly, the Commissioner granted summary decision to the petitioner, dismissed the respondent from her tenured teaching position in petitioner’s school district, and forwarded a copy of this decision to the State Board of Examiners for action against respondent’s certificate 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.

May 3, 2012

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CAMDEN SCHOOL DISTRICT, :  
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\_\_\_\_\_ :  
:

For Petitioner, Louis R. Lessig, Esq.

No appearance by or on behalf of Respondent, Kathryn Robinson

This matter was opened before the Commissioner of Education on March 26, 2012 by way of certified tenure charges against respondent, a teacher in petitioner's district. Petitioner seeks respondent's removal for excessive absenteeism and insubordination.

By notice dated March 26, 2012, the Bureau of Controversies and Disputes (the Bureau) directed respondent to file an answer to the petition. The notice was sent to the last known address for respondent in Pine Hill, NJ 08021 – via certified and regular mail. The notice that was sent by regular mail was not returned.

The communication from the Bureau clearly provided respondent with notice that, pursuant to *N.J.A.C.* 6A:3-5.3 and 6A:3-5.4, an individual against whom tenure charges are filed shall have 15 days from receipt of the petition to file an answer. The Bureau has received neither an answer to the certified charges from the respondent nor from any attorney purporting to represent respondent.

The Commissioner concludes that the allegations – which respondent has chosen not to deny – may be deemed admitted, pursuant to *N.J.A.C.* 6A:3-5.4(h), and are sufficient to warrant removal of respondent from her tenured position as a special education teacher.

IT IS THEREFORE ORDERED that summary decision shall be granted to the petitioner, and that respondent is dismissed from her tenured position in the district's employ as of the date of the within decision.<sup>1</sup> Further, this decision will be transmitted to the Board of Examiners for its review and for any action that it may deem appropriate.

ACTING COMMISSIONER OF EDUCATION

Date of Decision: May 3, 2012

Date of Mailing: May 3, 2012

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<sup>1</sup> This decision may be appealed to the Superior Court, Appellate Division, pursuant to *P.L. 2008, c. 3 (N.J.S.A. 18A:6-9.1)*.