

BOARD OF EDUCATION OF THE :
BOROUGH OF LAWNSIDE, CAMDEN :
COUNTY, :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
JULIA HANKERSON, : DECISION
RESPONDENT. :
_____ :

SYNOPSIS

The petitioning Board sought an order withholding the September 10, 1998-November 8, 1998 salary of respondent for neglect of or failure to perform duties and an order suspending respondent's teaching certificates for one year pursuant to *N.J.S.A. 18A: 26-10*.

The ALJ concluded that respondent effectively abandoned or refused to perform her assigned work duties, thereby constructively abandoning her employment without the sixty days' notice required by her employment contract, and that, pursuant to *N.J.S.A. 18A: 26-10*, respondent's teaching certificates should be suspended for one year for her unprofessional conduct.

The Commissioner affirmed the recommended decision of the ALJ for the reasons stated therein, suspending respondent's teaching certificates for one year from the date of this decision and authorizing the Board to withhold from respondent any unpaid compensation for service on and after September 10, 1998.

July 16, 1999

BOARD OF EDUCATION OF THE :
BOROUGH OF LAWNSIDE, CAMDEN :
COUNTY, :
PETITIONER, :
V. : COMMISSIONER OF EDUCATION
JULIA HANKERSON, : DECISION
RESPONDENT. :
_____ :

The record of this matter and the initial decision of the Office of Administrative Law (OAL) have been reviewed.¹ No exceptions were filed by the parties.

Upon his independent review of the record, the Commissioner agrees with the Administrative Law Judge (ALJ) that respondent has effectively abandoned or refused to perform her assigned work duties, thereby constructively abandoning her employment without the sixty days' notice required by her employment contract. He further concurs with the ALJ that, pursuant to *N.J.S.A.* 18A:26-10, respondent's teaching certificates should be suspended for one year for her unprofessional conduct.

Accordingly, the recommended decision of the OAL is affirmed for the reasons stated therein. The teaching certificates of Julia Hankerson are hereby suspended for one year from the date of this decision. Further, the Board is authorized to withhold from respondent any unpaid compensation for service on and after September 10, 1998.²

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

July 16, 1999

¹It is noted that the initial decision erroneously captions this matter as a settlement.

² This decision, as the Commissioner's final determination in the instant matter, 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.* 6:2-1.1 *et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.