

#84-08 (OAL Decision not available online)

IN THE MATTER OF THE TENURE :
HEARING OF ELLEN TAUSSI, SCHOOL : COMMISSIONER OF EDUCATION
DISTRICT OF THE TOWNSHIP OF : DECISION
FAIRFIELD, ESSEX COUNTY. :

SYNOPSIS

Petitioning Board filed tenure charges of unbecoming conduct and insubordination against respondent, a tenured secretary, and sought her removal from employment in the Township of Fairfield School District. Respondent filed an answer to the charges, but subsequently submitted an irrevocable letter of resignation dated January 7, 2008. On January 8, 2008, the petitioning Board issued a resolution accepting respondent's resignation and withdrawing the tenure charges.

The ALJ found that the respondent resigned from her tenured employment, and holds no certificate issued by the New Jersey Department of Education. Accordingly, the ALJ concluded that the matter should be dismissed as moot.

The Commissioner concurred with the ALJ, and dismissed the petition as moot.

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 19, 2008

OAL DKT. NO. EDU 11415-07
AGENCY DKT. NO. 299-10/07

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The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The Commissioner concurs with the Administrative Law Judge's (ALJ) determination that the irrevocable resignation of the respondent from her position with the petitioner – and the petitioner's resolution accepting same – has rendered moot the petitioner's appeal to the Commissioner requesting the respondent's removal for unbecoming conduct. No notification to the Board of Examiners is necessary under *N.J.A.C.* 6A:9-17.11, as the respondent does not hold a certificate issued by the New Jersey Department of Education.

Accordingly, the petition is hereby dismissed as moot.

IT IS SO ORDERED.¹

COMMISSIONER OF EDUCATION

Date of Decision: February 19, 2008

Date of Mailing: February 21, 2008

¹ 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.*