

New Jersey Commissioner of Education

Final Decision

In the Matter of the Tenure Hearing of
Nicole Palazzo, School District of the
Township of Middlesex, Middlesex County.

For the Petitioner, Ari D. Schneider, Esq.

No appearance by or on behalf of Respondent, Nicole Palazzo

This matter was opened before the Commissioner of Education on April 9, 2020, through tenure charges of unbecoming conduct and other just cause certified by Fredrick D. Williams, Superintendent of the Middlesex Township School District (“District”), together with supporting evidence against respondent, Nicole Palazzo, a tenured teacher in the District’s employ. The District provided respondent with written notice of such certification at the respondent’s last known address, via hand delivery and certified mail, on April 7, 2020.

On April 29, 2020, the Commissioner directed the respondent, via regular to file an answer to the charges. 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. No reply to the tenure charges was received from or on behalf of the respondent.

The certified tenure charges and statement of supporting evidence filed by the District in this matter indicate that the respondent has a history of excessive absenteeism dating back to the

2001-2002 school year. The respondent has not reported for work since November 20, 2019 and she has failed to respond to the District's request for information concerning her whereabouts. Deeming the allegations to be admitted and noting that the respondent has failed to respond to the charges certified against her, the Commissioner finds that the District's charges of unbecoming conduct and other just cause have been proven and warrants the respondent's dismissal. Accordingly, summary decision is hereby granted to the District, and the respondent is dismissed from her tenured position with the District.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: May 22, 2020
Date of Mailing: May 22, 2020

* This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A* 18A:6-9.1).