

New Jersey Commissioner of Education
Decision

In the Matter of the Suspension of the
Teaching Certificates of Ammie Dumalagan,
Board of Education of the Township of Wayne,
Passaic County.

For petitioner, John G. Geppert, Jr., Esq.

No appearance by or on behalf of respondent

This matter was opened before the Commissioner of Education on June 25, 2020, by way of an Order to Show Cause served by petitioner (Wayne Township Board of Education) upon respondent (Ammie Dumalagan), requiring respondent to show cause why an order should not be entered suspending her teaching certificate pursuant to *N.J.S.A.* 18A:26-10 for resigning without giving the notice required by her teaching contract and *N.J.S.A.* 18A:28-8 for resigning without giving the 60-day notice required for tenured employees. By notice dated June 29, 2020, the Office of Controversies and Disputes (Office) sent an e-mail acknowledging proof that the Order to Show Cause had been served upon respondent and directed respondent to answer within 20 days.

No answer having yet been received, on August 20, 2020, the Office sent respondent a second notice, via e-mail and certified mail, directing that she file an answer within ten days. The notice advised that, pursuant to *N.J.A.C.* 6A:3-1.5(e), failure to answer would cause each allegation in petitioner's papers to be deemed admitted and might result in summary decision by the Commissioner. The certified mail tracking indicates that the notice sent by

certified mail was delivered on August 27, 2020 and left with an individual. No answer to the Order to Show Cause had been filed as of this date.

The certification and supporting exhibits submitted by petitioner in this matter indicate that: the respondent has been employed by petitioner as a full-time teaching staff member since the 2015-16 school year, and subsequently acquired tenure; the respondent entered into a contract for the 2018-19 school year that required a 60-day notice of resignation; on or about September 3, 2019, the respondent provided notice of her resignation, effective September 13, 2019, giving only a 10-day notice. The respondent has not denied these allegations; therefore, the Commissioner deems such allegations to be admitted pursuant to *N.J.A.C. 6A:3-1.5(e)* and further deems them sufficient to justify suspension of respondent's teaching certification pursuant to *N.J.S.A. 18A:26-10* and *N.J.S.A. 18A:28-8*.

Accordingly, summary decision is hereby granted to petitioner, and respondent's teaching certification is suspended for a period of one year from the filing date of this decision, a copy of which shall be forwarded to the State Board of Examiners for implementation of the suspension.

IT IS SO ORDERED.¹

INTERIM COMMISSIONER OF EDUCATION

Date of Decision: October 19, 2020
Date of Mailing: October 20, 2020

¹ 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)*.