

New Jersey Commissioner of Education

Decision

In the Matter of the Suspension of the Teaching Certificates of Emma Allen, Board of Education of the West Windsor-Plainsboro Regional School District, Mercer County.

For petitioner, Mark G. Toscano, Esq.

No appearance by or on behalf of respondent

This matter was opened before the Commissioner of Education on October 19, 2021, by way of an Order to Show Cause served by petitioner (West Windsor-Plainsboro Regional School District Board of Education) upon respondent (Emma Allen), 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. By notice dated October 27, 2021, the Office of Controversies and Disputes (Office) acknowledged proof that the Order to Show Cause had been served upon respondent and directed respondent to answer within 20 days.

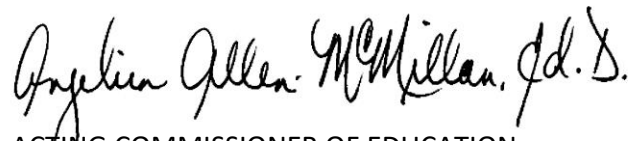
No answer having yet been received, on December 9, 2021, the Office sent respondent a second and final notice – via certified and regular mail – directing that she file an answer within ten days. The notice advised that, pursuant to *N.J.A.C. 6A:3-1.5(e)*, failure to answer would cause each allegation 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 December 13, 2021 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 was hired by petitioner as a full-time teaching staff member on September 1, 2020; the respondent entered into a contract for the 2021-22 school year that required 60-days' notice prior to termination; on or about August 23, 2021, the respondent sent an email to the Director of Human Resources indicating her decision to resign effective immediately. 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*.

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


ACTING COMMISSIONER OF EDUCATION

Date of Decision: February 23, 2022
Date of Mailing: February 23, 2022

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.