

New Jersey Commissioner of Education

Final Decision

In the Matter of the Suspension of the Teaching Certificates of Rosalie Dumas, Board of Education of the Caldwell-West Caldwell Regional School District, Essex County.

For petitioner, Douglas M. Silvestro, Esq.

No appearance by or on behalf of respondent

This matter was opened before the Commissioner of Education on February 17, 2022, by way of an Order to Show Cause served by petitioner (Caldwell-West Caldwell Board of Education) upon respondent (Rosalie Dumas), requiring respondent to show cause why an order should not be entered suspending her teaching certificates pursuant to *N.J.S.A. 18A:26-10* and *N.J.S.A. 18A:28-8* for resigning without giving the notice required by law. By notice dated March 21, 2022, 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.

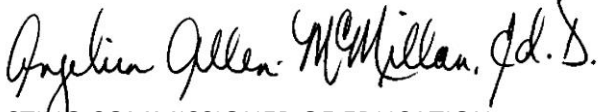
No answer having yet been received, on April 22, 2022, the Office sent respondent a second and final notice – via certified and regular mail – directing that she must file an answer within ten days. The notice advised that, pursuant to *N.J.A.C. 6A:3-1.5(e)*, failure to answer would cause each allegation 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 April 25, 2022. No answer to the Order to Show Cause has been filed as of this date.

The petition and supporting exhibits submitted by petitioner in this matter indicate that: respondent entered into a contract to work as a music teacher for the 2021-22 school year; and on November 17, 2021, respondent sent correspondence indicating that she was resigning, effective

immediately, providing less than 60 days' 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 certificates 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 certificates are 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: June 16, 2022
Date of Mailing: June 16, 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.