

New Jersey Commissioner of Education

Decision

In the Matter of the Suspension of the Teaching Certificates of Mackenzie Cahill, Empowerment Academy Charter School, Hudson County.

For petitioner, Thomas O. Johnston, Esq.

No appearance by or on behalf of respondent

This matter was opened before the Commissioner of Education on January 19, 2022, by way of an Order to Show Cause served by petitioner (Empowerment Academy Charter School) upon respondent (Mackenzie Cahill), 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 January 19, 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 March 15, 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 March 17, 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: the respondent entered into a contract to work as a teacher for the 2021-22 school year that required 60-days' notice prior to termination; on September 17, 2021, respondent sent an email to the principal indicating that she was resigning but would work for 60 days; on September 20, 2021, respondent submitted another written resignation; on October 14, 2021, respondent sent an email to the principal that her last day would be the following day, October 15, 2021. 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: May 19, 2022
Date of Mailing: May 19, 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.C.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.