

New Jersey Commissioner of Education

Final Decision

In the Matter of the Tenure Hearing of
Jurah Peele, School District of the City
of Linden, Union County.

For the Petitioner, Joseph A. Garcia, Esq.

No appearance by or on behalf of Respondent, Jurah Peele

This matter was opened before the Commissioner of Education on April 21, 2022, through tenure charges of unbecoming conduct and abandonment of position certified by Dr. Marnie Hazelton, Superintendent of the Linden School District (“District”), together with supporting evidence against respondent, Jurah Peele, a tenured custodian in the District’s employ. The District provided respondent with written notice of such certification at the respondent’s current known address, via regular mail.

On April 25, 2022, the Commissioner directed the respondent via regular mail 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 result in the charges being deemed admitted. No reply to the tenure charges has been 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 was employed by the District as a tenured custodian. The Statement of Evidence indicates that the respondent refused to comply with Executive Order No. 253 which required all school personnel to either submit proof of Covid-19 vaccination or take a weekly Covid-19 test. As a result of his refusal to comply with Executive Order No. 253, the respondent has not returned to work since October 28, 2021.

Deeming the allegations to be admitted and noting that the respondent has failed to respond to the charges certified against him at the District level and before the Commissioner, the Commissioner finds that the District's charge of unbecoming conduct has been proven and overwhelmingly warrants the respondent's dismissal. Accordingly, summary decision is hereby granted to the District, and the respondent is dismissed from his tenured position with the Linden Public School District.

IT IS SO ORDERED.¹


ACTING COMMISSIONER OF EDUCATION

Date of Decision: September 19, 2022
Date of Mailing: September 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.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.