

New Jersey Commissioner of Education

Final Decision

In the Matter of the Tenure Hearing of
Georgiana Cleary, School District of the
City of East Orange, Essex County

For the Petitioner, Ramon E. Rivera, Esq.

No appearance by or on behalf of Respondent, Georgiana Cleary

This matter was opened before the Commissioner of Education on August 24, 2023, through tenure charges of excessive absenteeism and other just cause certified by AbdulSaleem Hasan, Superintendent of the East Orange School District (“District”), together with supporting evidence against respondent, Georgiana Cleary, a tenured teacher in the District’s employ. The District provided respondent with written notice of such certification at the respondent’s current known address, via UPS.

On August 28, 2023, the Commissioner issued a notice to respondent via email, directing her to file an answer to the charges. This communication 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 – absent granting of an extension for good cause shown – result in the charges being deemed admitted. On September 18, 2023, the Commissioner sent a second email to respondent. On September 25, 2023, the Commissioner

sent a notice to respondent via regular mail. 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 has a history of excessive absenteeism dating back to the 2021-2022 school year. Respondent has reported to work only three times since November 28, 2022. Deeming the allegations to be admitted and noting that the respondent has failed to respond to the charges certified against her before the Commissioner, the Commissioner finds that the District's charge of excessive absenteeism has been proven and warrants the respondent's dismissal. Accordingly, summary decision is hereby granted to the District, and the respondent is dismissed from her tenured position with the East Orange School District.

IT IS SO ORDERED.¹


ANGELINA ALLEN McMILLAN, J.D. S.
ACTING COMMISSIONER OF EDUCATION

Date of Decision: November 6, 2023
Date of Mailing: November 8, 2023

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.