

New Jersey Commissioner of Education

Final Decision

In the Matter of the Suspension of the
Teaching Certificates of Sydney Fox,
Board of Education of the City of South Amboy,
Middlesex County.

Synopsis

This matter was opened before the Commissioner of Education on January 8, 2024, by way of an Order to Show Cause served by the petitioner, Board of Education of the City of South Amboy, upon respondent Sydney Fox, requiring her to show cause why an order should not be entered suspending her teaching certificate 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 January 22, 2024, the Office of Controversies and Disputes acknowledged proof that the Order to Show Cause had been served upon respondent and directed respondent to answer within 20 days. Respondent was advised that – pursuant to *N.J.A.C. 6A:3-1.5(e)* – failure to respond would cause each allegation raised by the Board to be deemed admitted and might result in summary decision by the Commissioner. The respondent failed to answer the order, despite ample opportunity to do so.

There being no response to the order to show cause, the Commissioner concluded that the allegations, which respondent has chosen not to deny, may be deemed admitted and justify suspension of respondent's certificate. Accordingly, summary decision was granted to the Board, and respondent's certificate was suspended for a period of one year from the date of the filing of this decision – a copy of which was forwarded to the State Board of Examiners for the purpose of effectuating this order.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

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Middlesex County.

This matter was opened before the Commissioner of Education on January 8, 2024, by way of an Order to Show Cause served by petitioner (Board of Education of the City of South Amboy) upon respondent (Sydney Fox), 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* and *N.J.S.A. 18A:28-8* for resigning without giving the notice required by law.

By notice dated January 22, 2024, 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 February 12, 2024, the Office sent respondent a second and final notice – via certified and regular mail, and email – 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. To date, the Office has not received a response from respondent.

The petition and supporting exhibits submitted by petitioner in this matter indicate that: petitioner hired respondent to work as an English teacher for the 2023-2024 school year; on October 12, 2023, respondent sent correspondence indicating that she was resigning to pursue

another opportunity and initially offered sixty days' notice but requested an early release if a replacement was found; subsequently, on November 13, 2023, respondent sent correspondence indicating that November 14, 2023, would be her last day of employment and abandoned her teaching position before the sixty-day notice period expired; and, on November 27, 2023, at a Board meeting, petitioner acknowledged respondent's resignation effective November 14, 2023, in violation of her employment contract. 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 certificate 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. Respondent's teaching certificate, as well as any substitute teaching credential she may hold, 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: March 26, 2024

Date of Mailing: March 27, 2024

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.