

IN THE MATTER OF THE SUSPENSION :  
OF THE TEACHING CERTIFICATE OF : COMMISSIONER OF EDUCATION  
APRIL GONZALEZ, FOUNDATION : DECISION  
ACADEMIES CHARTER SCHOOL, :  
MERCER COUNTY. :

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SYNOPSIS

In October 2017, the Commissioner of Education issued an Order to Show Cause requiring respondent to show cause why an order should not be entered suspending her teaching certificate for unprofessional conduct pursuant to *N.J.S.A. 18A:28-10* for resigning her position without giving the notice required for tenured employees.. The respondent failed to answer the order. Respondent was duly 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.

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 certification. Accordingly, summary decision is granted to petitioner, and respondent’s certificate is suspended for a period of one year from the date of the filing of this decision – a copy of which has been 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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January 5, 2018

IN THE MATTER OF THE SUSPENSION :  
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APRIL GONZALEZ, FOUNDATION : DECISION  
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For Petitioner, John A. Boppert, Esq.

No appearance by or on behalf of respondent

This matter was opened before the Commissioner of Education on October 5, 2017, by way of an Order to Show Cause served by petitioner (Foundation Academies Charter School) upon respondent (April Gonzalez), 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 contract with petitioner. By notice dated October 6, 2017, the Bureau of Controversies and Disputes (Bureau) acknowledged receipt of 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 October 27, 2017, the Bureau sent respondent a second and final notice – via regular and certified mail – directing that she 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 notice sent by certified mail was returned by the postal service as unclaimed; however, the notice sent by regular mail was not returned, and no answer to the Order to Show Cause has been filed as of this date.

The certification submitted by the petitioner in this matter states that: respondent entered into a contract from November 10, 2016 through June 30, 2017; respondent entered into a subsequent contract for an 11-month term, from August 3, 2017 through June 30, 2018; respondent was expected to report to work on August 7, 2017 for the start of the 2017-2018 school year, but failed to report and instead submitted her letter of resignation, effective that day, without providing any 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 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.<sup>1</sup>

COMMISSIONER OF EDUCATION

Date of Decision: January 5, 2018

Date of Mailing: January 12, 2018

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<sup>1</sup> This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36 (N.J.S.A 18A:6-9.1)*.