

144-18

AGENCY DKT NO. 72-3/18

IN THE MATTER OF THE TENURE :  
HEARING OF SHERALYN CONRAD, : COMMISSIONER OF EDUCATION  
SCHOOL DISTRICT OF THE CITY OF : DECISION  
ELIZABETH, UNION COUNTY. :

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For the Petitioner, Lester E. Taylor, Esq.

No appearance by or on behalf of Respondent, Sheralyn Conrad

This matter was opened before the Commissioner of Education on March 22, 2018, through tenure charges of conduct unbecoming, excessive absenteeism, insubordination and other just cause certified by Harold E. Kennedy, Jr., Board Secretary/School Business Administrator of the Elizabeth School District, together with supporting evidence against respondent, Sheralyn Conrad, a tenured teacher in the petitioner’s employ. The petitioner provided respondent with written notice of such certification at the respondent’s last known address, via Federal Express on February 23, 2018, and also on March 19, 2018 via regular mail.

On March 26, 2018, the Commissioner directed the respondent – via both certified and 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 – absent granting of an extension for good cause shown – result in the charges being deemed admitted. No reply to the tenure charges was received from or on behalf of respondent.

The certified tenure charges and statement of supporting evidence filed by the petitioner in this matter indicate that respondent has been employed as a tenured teacher in the District from February 1994 to September 2005, and again beginning in September 2009. During the course of her teaching career with the District, the respondent has been excessively absent on an annual basis. For example, during the 2014-2015 school year, the respondent was absent on approximately 33 days; 49.5 days during the 2015-2016 school year; and 129.5 days during the 2016-2017 school year, as of April 20, 2017. Repeated requests for medical documentation went unanswered by respondent until January 9, 2017, when respondent indicated that the necessary medical certificate would be sent as soon as her doctor filled it out. Respondent did not return the necessary documents to the petitioner and did not return to the classroom for the remainder of the 2016 - 2017 school year.

The charges also allege that respondent pled guilty to Driving While Intoxicated in violation of *N.J.S.A. 39:4-50*, and failed to report her arrest and conviction to the Superintendent in violation of regulation and Board Policy. Additionally, in April of 2014, respondent admitted that she made up Developmental Reading Assessment (DRA) scores for nearly all of her students because she had not completed the DRA assessments.

Deeming the allegations to be admitted and noting that respondent has failed to respond to the charges certified against her, the Commissioner finds that petitioner's charges of conduct unbecoming a teaching staff member, chronic and excessive absenteeism, abandonment of position, insubordination and other just cause have been proven and overwhelmingly warrant the respondent's dismissal. Accordingly, summary decision is hereby granted to the petitioner, and the respondent is dismissed from her tenured position with the District. This matter will be

transmitted to the State Board of Examiners for action against respondent's certificate(s) as that body deems appropriate.

IT IS SO ORDERED.<sup>1</sup>

ACTING COMMISSIONER OF EDUCATION

Date of Decision: May 15, 2018

Date of Mailing: May 15, 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*)