

New Jersey Commissioner of Education

Final Decision

In the Matter of the Tenure Hearing of
Patricia Hughes, School District of the
Township of Parsippany-Troy Hills,
Morris County.

Synopsis

Petitioning Board certified tenure charges of inefficiency, incapacity and conduct unbecoming, against respondent – a tenured Spanish teacher employed by the Board – and sought to terminate her employment with the district. Respondent was provided notice that, pursuant to *N.J.A.C. 6A:3-5.3* and *6A:3-5.4*, she had 15 days from the date that the charges were filed with the Commissioner to file a written response to the charges, and that – absent the granting of an extension for good cause – failure to do so would result in the charges being deemed admitted. No reply to the charges was received from or on behalf of the respondent.

The Commissioner concluded that the allegations – which respondent has chosen not to deny – may be deemed admitted and warrant the termination of the respondent from her tenured position. Accordingly, the Commissioner granted summary decision to the petitioner, and dismissed the respondent from her tenured position in petitioner’s school district.

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.

July 26, 2019

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Morris County.

For the Petitioner, Katherine A. Gilfillan, Esq.

No appearance by or on behalf of Respondent, Patricia Hughes

This matter was opened before the Commissioner of Education on June 24, 2019, through tenure charges of inefficiency, incapacity, conduct unbecoming and other just cause certified by Dr. Robert S. Sutter, Assistant Superintendent for Human Resources for the Parsippany-Troy Hills School District (“District”), together with supporting evidence against respondent, Patricia Hughes, a tenured teaching staff member in the District’s employ. The District provided respondent with written notice of such certification at the respondent’s last known address, via certified mail, on June 18, 2019.

On June 24, 2019, 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 the respondent.

The certified tenure charges and statement of supporting evidence filed by the petitioner in this matter indicate the respondent has been employed by the District as a tenured teacher since the 2006-07 school year. The respondent has engaged in several instances of inappropriate and unprofessional conduct towards other teaching staff members; respondent has demonstrated a pattern of performance deficiencies that evince a complete inability to be an effective educator; and the respondent has refused to undergo a fit-for-duty examination since she was placed on leave on or about January 22, 2015.

Deeming the allegations to be admitted and noting that the respondent has failed to respond to the charges certified against her, the Commissioner finds that petitioner’s charges of inefficiency, incapacity and conduct unbecoming a teaching staff member 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.*

COMMISSIONER OF EDUCATION

Date of Decision: July 26, 2019
Date of Mailing: July 26, 2019

* 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).