

#407-16

IN THE MATTER OF THE TENURE HEARING :  
OF LAUREN KRESLOFF, SCHOOL DISTRICT : COMMISSIONER OF EDUCATION  
OF THE TOWNSHIP OF MOUNT LAUREL, : DECISION  
BURLINGTON COUNTY. :

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SYNOPSIS

Petitioning Board certified tenure charges of abandonment, conduct unbecoming, and incapacity against respondent – a tenured social worker under the Board’s employ – and sought to terminate her employment with the district. Neither respondent nor any attorney acting on her behalf filed an answer to the tenure charges following notice pursuant to *N.J.A.C.* 6A:3-5.3 and 6A:3-5.4.

The Commissioner concluded that, pursuant to *N.J.A.C.* 6A:3-5.3(c), 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, dismissed the respondent from her tenured position in petitioner’s school district, and forwarded a copy of this decision to the State Board of Examiners for review and action as that body deems appropriate.

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.

November 22, 2016

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For the Petitioner, Andrew W. Li, Esq.

No appearance by or on behalf of Respondent, Lauren Kresloff

This matter was opened before the Commissioner of Education on September 29, 2016 through tenure charges of abandonment, conduct unbecoming, and incapacity certified by George Rafferty, Superintendent of the School District of the Township of Mount Laurel, together with supporting evidence against respondent Lauren Kresloff, a tenured social worker in the petitioner's employ. The petitioner provided respondent with written notice of such certification at her last known address – via regular and certified mail – on September 28, 2016.

On September 30, 2016, the Commissioner directed respondent – via both certified and regular mail – 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 date 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.

The certified tenure charges and statement of supporting evidence filed by the petitioner in this matter indicate that respondent has engaged in a pattern of chronic and excessive absenteeism beginning in January 2016, when respondent was absent from work for approximately

two days per week and failed to contact the District to report her absences. On April 28, 2016, respondent underwent testing for drugs and alcohol, which indicated the presence of then-unspecified drugs in respondent's system. Following an administrative leave in which respondent advised that she would seek treatment, respondent failed to contact the District – despite receiving numerous notifications by District employees – to make arrangements to return for the 2016-17 school year and schedule a physical examination. To date, respondent has not contacted the district, nor has respondent demonstrated that she has undergone medical treatment or a fitness for duty examination.

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 abandonment of her teaching position, conduct unbecoming a school employee, and incapacity to perform her job functions have been proven and warrant the respondent's dismissal from employment.

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: November 22, 2016

Date of Mailing: November 22, 2016

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\* 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)