

IN THE MATTER OF THE TENURE :
HEARING OF CATHERINE COOPER, :
SCHOOL DISTRICT OF THE : COMMISSIONER OF EDUCATION
CITY OF BRIDGETON, CUMBERLAND :
COUNTY. :
_____ :

DECISION

SYNOPSIS

The Board certified tenure charges of unbecoming conduct, neglect and other just cause against respondent, a middle school teacher of classified students in a self-contained classroom of emotionally disturbed children, for an incident in which she allegedly directed an inappropriate comment at two classified students.

The ALJ found that the incident demonstrated respondent's insensitivity to her emotionally handicapped students and resulted in one student being so embarrassed that he remains on home instruction. Having found the incident "sufficiently flagrant" to remove respondent from her tenured position, the ALJ ordered said removal.

The Commissioner adopted findings and determination in the Initial Decision as his own and ordered respondent dismissed as of the date of this decision. The Commissioner directed that a copy of the decision be transmitted to the State Board of Examiners for action as it deems appropriate, pursuant to *N.J.A.C.* 6:11-3.6.

OAL DKT. NO. EDU 6550-00
AGENCY DKT. NO. 291-8/00

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DECISION

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties did not file exceptions.

Upon careful and independent review of the record in this matter, the Commissioner determines to affirm the Initial Decision, for the reasons expressed therein. Accordingly, respondent is deemed dismissed from her position as a tenured teacher with the Board as of the date of this decision. A copy of this decision will be transmitted to the State Board of Examiners for action as it deems appropriate, pursuant to *N.J.A.C. 6:11-3.6*.

IT IS SO ORDERED.*

ACTING COMMISSIONER OF EDUCATION

Date of Decision: March 22, 2001

Date of Mailing: March 22, 2001

* This decision, as the Commissioner's final determination, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.