

New Jersey Commissioner of Education
Final Decision

In the Matter of the Suspension of the
Teaching Certificates of Kelly Stern,
Board of Trustees of People’s Achieve
Community Charter School, Inc., Essex County

This matter was opened before the Commissioner of Education on October 31 2023, by way of an Order to Show Cause served by petitioner (Board of Trustees of People’s Achieve Community Charter School, Inc.) upon respondent (Kelly Stern), requiring respondent to show cause why an order should not be entered suspending her teaching certificates pursuant to *N.J.S.A. 18A:26-10* and *N.J.S.A. 18A:28-8* for resigning without giving the notice required by law.

By notice dated December 6, 2023, sent to respondent via email, the Office of Controversies and Disputes (Office) acknowledged proof that the Order to Show Cause had been served upon respondent and directed her to answer within 20 days. No answer having yet been received, on January 9, 2024, the Office sent respondent a second and final notice via email, regular mail, and certified mail directing her to file an answer within ten days if she wished to contest the suspension of her certificates. To date, the Office has not received a response from respondent.

The petition and supporting exhibits submitted by petitioner in this matter indicate that: on April 7, 2023, respondent executed an employment contract with petitioner for the 2023-2024 school year; the contract provides that it can be terminated by the employee upon thirty days’ written notice, except that if notice was given in July, August, or September, the commencement

of the notice period would be October 1, 2023, with an expiration date of November 1, 2023; and, on August 15, 2023, respondent sent an email to petitioner indicating that she was resigning, thereby providing less than the required thirty days' 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(a)* and further deems them sufficient to justify suspension of respondent's teaching certificates pursuant to *N.J.S.A. 18A:26-10* and *N.J.S.A. 18A:28-8*.

Accordingly, summary decision is hereby granted to petitioner, and respondent's teaching certificates, as well as any substitute teaching credential she may hold, are 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.¹



ACTING COMMISSIONER OF EDUCATION

Date of Decision: February 6, 2024

Date of Mailing: February 8, 2024

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A. 18A:6-9.1*. Under *N.J.Ct.R. 2:4-1(b)*, a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.