

New Jersey Commissioner of Education

Final Decision

In the Matter of the Tenure Hearing of
Yesenia Camilo, School District of the Town of
West New York, Hudson County.

Synopsis

Petitioning Board filed tenure charges of unbecoming conduct against respondent, a tenured teacher, and sought to terminate her employment with the district. The charges outline ongoing attendance issues going back to the 2019-2020 school year; most recently, the respondent has been absent from her teaching position since the beginning of the 2023-2024 school year. To date, no reply to the tenure charges has been 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 are sufficient to warrant termination of the respondent from her tenured position. Accordingly, the Commissioner granted summary decision to the petitioner, dismissed the respondent from her tenured teaching position in petitioner’s school district, and forwarded a copy of this decision to the State Board of Examiners for action against respondent’s certificate(s) 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.

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West New York, Hudson County.

For the Petitioner, Craig B. Novak, Esq.

No appearance by or on behalf of Respondent, Yesenia Camilo

This matter was opened before the Commissioner of Education on February 15, 2024, through tenure charges of unbecoming conduct certified by Clara Herrera, Superintendent of the West New York School District (“District”), together with supporting evidence against respondent, Yesenia Camilo, a tenured teaching staff member in the District’s employ. The District provided respondent with written notice of such certification at the respondent’s current known address, via email and certified mail.

On February 20, 2024, the Commissioner directed the respondent via email 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 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. A second notice was sent to the respondent on

March 6, 2024. 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 District in this matter indicate that the respondent was employed by the District as a tenured teacher. The charges indicate that the respondent has not appeared for work for the 2023-2024 school year, failing to notify the District regarding her absences on all but two dates or to provide a physician's note once she had more than three consecutive absences, as required by District policy. The respondent had accrued 83 absences at the time the tenure charges were filed, 54 of which exceeded her contractual paid time off.

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 the District's charge of unbecoming conduct has been proven and warrants the respondent's dismissal. Accordingly, summary decision is hereby granted to the District, and the respondent is dismissed from her tenured position with the West New York School 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.¹


ACTING COMMISSIONER OF EDUCATION

Date of Decision: April 11, 2024
Date of Mailing: April 12, 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.