

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
LINDA COFIELD : ORDER OF REVOCATION
_____ : DOCKET NO: 581-09/00-273

At its meeting of September 21, 2000, the State Board of Examiners reviewed information received from the Division of Criminal Justice indicating that Linda Cofield had pled guilty to charges of conspiracy to commit murder in the third degree. Cofield was sentenced to two years' probation and fined. As a result of the conviction Cofield was also forever disqualified from holding any office or position of honor, trust or profit under this state or any of its administrative or political subdivisions pursuant to N.J.S.A. 2C:51-2b(1). Cofield is currently the holder of a Teacher of the Handicapped certificate. Upon review of the above information, at that September 2000 meeting, the State Board of Examiners voted to issue Cofield an Order to Show Cause.

The Board sent Cofield the Order to Show Cause by regular and certified mail on October 30, 2000. The Order provided that an Answer must be filed within 20 days. On December 4, 2000, Cofield filed an Answer. In that Answer, Cofield stated that she had pled guilty to conspiracy to commit murder in the third degree. She also explained that she had been in an abusive marriage for 18 years and that she had conspired to harm her abusive husband but later changed her mind. Cofield stated that she pled guilty to a reduced charge so that she would not have to leave her children. (Answer, ¶¶ 4,8).

Thereafter, pursuant to N.J.A.C. 6:11-3.6(a)1, on May 9, 2001, the Board of Examiners sent Cofield a hearing notice by regular and certified mail. The notice explained that since it appeared no material facts were in dispute, Cofield was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder. It also explained that upon review of the charges against her and the legal arguments tendered in her defense, the State Board of Examiners would determine if Cofield's offense warranted action against her certificate. Thereupon, the Board of

Examiners would also determine the appropriate sanction, if any. The certified mail copy of the Hearing Notice was returned unclaimed but the regular mail copy was not returned. Cofield did not respond to the hearing notice.

The threshold issue before the State Board of Examiners in this matter, therefore, is to determine whether Cofield's guilty plea to conspiracy to commit murder constitutes conduct unbecoming a certificate holder. At its meeting of January 17, 2002, the State Board of Examiners reviewed the charges and papers filed by respondent in response to the Order to Show Cause. After review of Cofield's submissions, the Board of Examiners determined that no material facts related to her offense were in dispute since she admitted that she had pled guilty to the offenses charged and had been sentenced accordingly. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. N.J.A.C. 6:11-3.6(a)1.

The State Board of Examiners must now determine whether Cofield's offense as set forth in the Order to Show Cause, provides just cause to act against her certificate pursuant to N.J.A.C. 6:11-3.6(a)1. We find that it does.

The State Board of Examiners may revoke or suspend the certification of any certificate holder on the basis of demonstrated inefficiency, incapacity, conduct unbecoming a teacher or other just cause. N.J.A.C. 6:11-3.4. Moreover, the Commissioner has long held that teachers serve as role models for their students. "Teachers... are professional employees to whom the people have entrusted the care and custody of ... school children. This heavy duty requires a degree of self-restraint and controlled behavior rarely requisite to other types of employment." Tenure of Sammons, 1972 S.L.D. 302, 321.

Furthermore, unfitness to hold a position in a school system may be shown by one incident, if sufficiently flagrant. Redcay v. State Board of Education, 130 N.J.L. 369, 371 (S. Ct. 1943), *aff'd*. 131 N.J.L. 326 (E & A 1944). In this instance, Cofield's admission to conspiracy to commit murder is a *per se* demonstration of her unfitness to teach children. Certainly the judge believed that to be the case because Cofield was permanently barred from

holding a position of honor, trust or profit under this state or any of its political subdivisions.
N.J.S.A. 2C:51-2b(1).

Moreover, notwithstanding Cofield's contentions of rehabilitation, this is not the proper context for such considerations. The purpose of this proceeding is "to permit the individual certificate holder to demonstrate circumstances or facts to counter the charges set forth in the Order to Show Cause, not to afford an opportunity to show rehabilitation." See, In the Matter of the Revocation of the Teaching Certificate of Gloria Jackson by the State Board of Examiners, 96 N.J.A.R. 2D (EDE) 1, 16 aff'd App. Div. Dkt. No. A-1246-96T5 (September 9, 1997) citing In the Matter of the Revocation of the Teaching Certificate of James Noll, State Bd. of Examiners decision (February 7, 1990). Thus, the fact that Cofield has attended therapy and completed probation, while a step in the right direction, has no bearing on the decision the Board of Examiners must make with regard to her certification.

Accordingly, it is therefore ORDERED that Linda Cofield's Teacher of the Handicapped certificate be revoked on this 17th day of January, 2002. It is further ORDERED that Cofield return her certificate to the Secretary of the State Board of Examiners, Office of Licensure and Credentials, PO Box 500, Trenton, NJ 08625-0500 within 15 days of receipt of this decision.

Joan E. Brady, Secretary
State Board of Examiners

Date of Mailing: March 12, 2003

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.