

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
THOMAS CARNEY : ORDER OF REVOCATION
_____ : DOCKET NO: 0304-201

This case arose when the Ocean County Office of Education notified the Lakewood Board of Education that its fall report indicated that Thomas Carney, a teaching staff member in Lakewood's employ, did not possess the supervisor certificate that was required for the position he held. In response, Lakewood provided a copy of the document Carney had presented when he applied for the position to show that he possessed a supervisor certificate. To verify Carney's status, the Ocean County office printed a copy of the computer screen that identified the certificates that Carney held and certified the printout.

The computer screen that the county office printed out indicated that Carney only possesses a Teacher of Health and Physical Education certificate issued in June 1988. By contrast, the document Carney presented to Lakewood indicates that he also received a supervisor certificate in January 2002. The number for the supervisor certificate on the document Carney presented to Lakewood is the certificate number for a Teacher of Elementary School certificate that the Office of Licensure and Credentials issued to another individual in August 2001. Based upon all of the foregoing information, at its meeting of January 22, 2004 the State Board of Examiners issued Carney an Order to Show Cause why his properly-held certificate should not be revoked or suspended.

The Board of Examiners sent Carney the Order to Show Cause by regular and certified mail on March 5, 2004. The Order provided that an Answer must be filed within 20 days. Carney submitted an Answer on May 20, 2004. In his Answer Carney alleged that "through inadvertence, neglect and a failure to continue to stay personally involved with the process" certain errors occurred for which he assumed responsibility. (Answer, ¶ 4.) Carney therefore accepted responsibility for the improper actions specified in the Order to Show Cause. (Answer ¶ 5.) In the remainder of his Answer, Carney asked the Board to consider his excellent

credentials and record prior to this incident. Carney asserted that he had terminated his relationship with the Lakewood Board of Education and asked that the Board consider suspending rather than revoking his certificate so that he could return to the teaching profession in the future. (Answer, ¶ 6.)

At its meeting of September 23, 2004, the State Board of Examiners reviewed all of the information before it regarding Carney's conduct. The Board determined that no material disputes existed relating to Carney's conduct since he never denied that he was not entitled to a Supervisor certificate. Moreover, he never alleged that anyone else had forged his documentation. Indeed, Carney was the one to submit the fraudulent document to his employing district. Based upon all of these uncontested facts, the Board of Examiners proceeded to hear the matter directly.

The issue before the State Board of Examiners in this matter, therefore, is to determine whether Carney's conduct, as set forth in the Order to Show Cause, represents just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.6(c)*. The State Board of Examiners finds that it does.

In this case, Carney has presented a bogus certificate in order to obtain employment. The Office of Licensing has no record of ever having issued Carney a Supervisor certificate nor does he contend that it did. 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. 6A:9-17.5*. The system of certification in this State ensures the public that each certificate holder is properly qualified for the position held. Any certificate fraudulently obtained "demeans the value of all certificates" and "harms the integrity of the teacher certification system." *In re Williams*, No. 214-2/94 (Examiners Dec. 14, 1995)(decision on remand).

Thus, the only issue that remains in this matter is the imposition of the appropriate sanction. In the past the Board of Examiners has ordered revocation of an individual's

legitimately-held certificates where a certificate had been altered in order to secure employment in an area for which the individual was not certified. *See, e.g., In re Shaffer, supra*, (New Jersey teacher altered Pennsylvania certificate to include Teacher of the Handicapped authorization); *State Bd. of Examiners v. Kaufman*, Dkt. No. 226-8/93-15 (Examiners Feb. 24, 1994)(health teacher fabricated certificate to seek employment as a school psychologist); *In re Certificate of Nieves*, OAL Dkt. No. EDE 7908-88, *adopted* (Examiners March 3, 1989)(teacher of cosmetology presented falsified elementary education certificate). This case presents similar concerns. A teacher who knowingly presents fraudulent documentation indicating he holds a certificate that, in fact, he does not and is not qualified to possess, does a great disservice to his students and his school district. That individual has no place in any New Jersey classroom.

Accordingly, it is therefore ORDERED that Thomas Carney's Teacher of Health and Physical Education certificate be revoked on this 23rd day of September 2004. It is further ORDERED that Carney return his certificate to the Secretary of the State Board of Examiners, Office of Licensure and Credentials, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

Michael K. Klavon, Acting Secretary
State Board of Examiners

Date of Mailing: FEBRUARY 2, 2005

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