

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
LIGIA PIOQUINTO- : ORDER OF REVOCATION
OKOSZKO :
_____ : DOCKET NO: 0304-259

At its meeting of October 30, 2003, the State Board of Examiners reviewed a decision forwarded by the Commissioner of Education that had dismissed Ligia Pioquinto-Okoszko from her tenured position with the Piscataway Campus of the Vocational Schools in the County of Middlesex for charges of excessive absenteeism and tardiness and unbecoming conduct. *In the Matter of the Tenure Hearing of Ligia Pioquinto-Okoszko*, Docket No. 156-5/03 (Commissioner's Decision, June 30, 2003). Pioquinto-Okoszko currently holds a Teacher of English certificate, issued in August 1977.

This case originated on May 19, 2003, when the Middlesex County Vocational Schools Board of Education certified tenure charges against respondent, Ligia Pioquinto-Okoszko. The district charged her with incapacity to return to work, excessive absenteeism and tardiness. Specifically, the district had alleged that Pioquinto-Okoszko had been absent 35 days in the 2000-2001 school year, 22 ½ days in the 2001-2002 school year and 82 ½ days in the 2002-2003 school year from September through April 8, 2003. Pioquinto-Okoszko did not provide medical documentation for her absences nor did she keep any of the doctor appointments that the district scheduled for her with the school physician. On May 20, 2003, the Commissioner sent Pioquinto-Okoszko a notice by regular and certified mail to respond to the tenure charges. The notice informed her that if she failed to answer, the charges would be deemed admitted. Pioquinto-Okoszko did not respond to the tenure charges.

In a decision dated June 30, 2003, the Commissioner of Education held that the district had demonstrated that Pioquinto-Okoszko was incapable of fulfilling her duties as a teacher due to excessive absenteeism and that her actions constituted unbecoming conduct. (Commissioner's Decision, slip op. at 2-3). The Commissioner held that since Pioquinto-Okoszko failed to deny the charges against her, summary decision should be granted to the district. (Commissioner's Decision, slip op. at 3). Accordingly, the Commissioner removed Pioquinto-Okoszko from her tenured employment with the Middlesex County Vocational Schools Board of Education. (Commissioner's Decision, slip op. at 3). The Commissioner then transmitted the matter to the State Board of Examiners for appropriate action regarding Pioquinto-Okoszko's certificate.

Thereafter, on October 30, 2003, the State Board of Examiners issued Pioquinto-Okoszko an Order to Show Cause as to why her certificate should not be suspended or revoked. The Order was predicated on the charges of incapacity and excessive absenteeism that had been proven in the tenure hearing.

The Board sent Pioquinto-Okoszko the Order to Show Cause by regular and certified mail on March 5, 2004. The Order provided that Pioquinto-Okoszko's Answer was due within 20 days. Both copies were returned as undeliverable and the Motor Vehicles Commission could not provide a current address for her. Accordingly, the Order to Show Cause was published in two New Jersey newspapers on August 14 and 17, 2005. Pioquinto-Okoszko did not respond to the published notice.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Pioquinto-Okoszko's conduct and her subsequent loss of tenure constitute conduct unbecoming a certificate holder. At its meeting of November 3, 2005, the State

Board of Examiners reviewed the charges in the Order to Show Cause. Since Pioquinto-Okoszko had not responded to the Order, the charges were deemed admitted. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. Accordingly, Pioquinto-Okoszko's excessive absences and tardiness and her incapacity to serve her students constitute conduct unbecoming a certificate holder.

The State Board of Examiners must now determine whether Pioquinto-Okoszko's offenses as set forth in the Order to Show Cause, represent just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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*. Furthermore, unfitness to hold a position in a school system may be shown by one incident, if sufficiently flagrant. *Redcay v. State Bd. of Educ.*, 130 *N.J.L.* 369, 371 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). "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. In this case, Pioquinto-Okoszko had repeated absences, failed to comply with administrative directives to meet with the school physician and demonstrated an incapacity to return to work. Furthermore, she not only ignored her responsibilities to her students but also disregarded her professional obligation to respond to the charges against her, both before the Commissioner and this tribunal. Her disinterest in safeguarding her teaching career speaks volumes about her

fitness as a role model. Thus, the only proper response to Pioquinto-Okoszko's apathy is revocation.

Accordingly, it is therefore ORDERED that Ligia Pioquinto-Okoszko's Teacher of English certificate be revoked on this 3rd day of November 2005. It is further ORDERED that Pioquinto-Okoszko return her certificate to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

Robert R. Higgins, Acting Secretary
State Board of Examiners

Date of Mailing: DECEMBER 2, 2005

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