

IN THE MATTER OF THE  
TEACHING CERTIFICATES  
OF JAMES LYBACK

)  
)  
)  
)

STATE BOARD OF EXAMINERS  
AGENCY DOCKET NO. 0708-123

DECISION

---

This matter was opened by the Board of Examiners by way of an Order to Show Cause issued to James Lyback as to why his Teacher of English Certificate of Eligibility With Advanced Standing and Teacher of English certificate should not be suspended or revoked. The Order alleged that Lyback engaged in physical contact with a disruptive student, engaged in a verbal confrontation with a second student and yelled profanities at a group of students. The Order to Show Cause was based on conduct substantiated in a Division of Youth and Family Services (DYFS) investigation. Following a further investigation, DYFS overturned its initial findings and determined that the allegations of abuse were unfounded. After the certification matter was transmitted to the Office of Administrative Law for hearing, Lyback presented a settlement proposal to the Board seeking a four year suspension of his certificates, prospective from the date of settlement. After reviewing the settlement proposal, at its meeting of January 13, 2009, the Board of Examiners voted to accept the proposal. Accordingly, on this 31st day of March 2009, James Lyback's Teacher of English Certificate of Eligibility With Advanced Standing, issued in June 1988, and Teacher of English certificate, issued in August 2000, are hereby suspended for a period of four years beginning on this day.

IT IS SO ORDERED.

---

Robert R. Higgins, Secretary  
State Board of Examiners

Date of Decision: March 31, 2009

**Date of Mailing:**