

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
JAMES JETTER : ORDER OF REVOCATION
_____ : DOCKET NO: 0910-173

At its meeting of February 11, 2010, the State Board of Examiners (Board) reviewed information received from the Gloucester County Prosecutor's Office (Gloucester) and the Carbon County, Pennsylvania's Prosecutor's Office (Carbon) regarding James Jetter. Gloucester reported that on April 22, 2003, James Jetter pled guilty to Sexual Assault. On February 10, 2005, Jetter was sentenced to five years' imprisonment. On February 24, 2004, Jetter pled guilty to Involuntary Deviate Sexual Intercourse, Statutory Sexual Assault, Corruption of Minors and Sexual Abuse of Children-Possession of Child Pornography in the Court of Common Pleas in Carbon County, Pennsylvania and was sentenced to a minimum of six years' imprisonment. Jetter currently holds a Teacher of Spanish Certificate of Eligibility With Advanced Standing, issued in September 1998 and a Teacher of Spanish certificate, issued in July 1999. Upon review of the above information, at its April 29, 2010 meeting, the Board voted to issue Jetter an Order to Show Cause.

The Board sent Jetter the Order to Show Cause by regular and certified mail on May 4, 2010. The Order provided that Jetter's Answer was due within 30 days. The certified mail copy was returned as unclaimed but the regular mail copy was not returned. Jetter did not file a response. Thereafter, on June 18, 2010, the Board sent Jetter a second notice by regular and certified mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as unclaimed and the regular mail copy was not returned. Jetter did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on July 8, 2010, the Board sent Jetter a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Jetter 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 as well as arguments with regard to the appropriate sanction in the event that the Board determined to take action against his certificates. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Jetter's offenses warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Jetter was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as unclaimed and the regular mail copy was not returned. Once again, Jetter did not respond.

The threshold issue before the Board in this matter, therefore, is whether Jetter's multiple convictions constitute conduct unbecoming a certificate holder. Since Jetter failed to respond to the Order to Show Cause or the hearing notice, at its meeting of September 16, 2010, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Jetter's offenses were in dispute since he never denied that he had pled guilty to the offenses charged and had been sentenced accordingly. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Jetter's convictions, as set forth in the Order to Show Cause, provide just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

The Board 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*. "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. Jetter's acts of Sexual Assault in New Jersey and Involuntary Deviate Sexual Intercourse, Statutory Sexual Assault, Corruption of Minors and Sexual Abuse of Children-Possession of Child

Pornography in Pennsylvania are inexcusable for any individual, teacher or not, and were serious enough to warrant substantial prison time in both states.

The Commissioner has long held that teachers serve as role models for their students. Clearly, Jetter cannot claim status as a role model to anyone. His convictions demonstrate egregious behavior that warrants revocation.

Accordingly, on September 16, 2010, the Board to revoke Jetter's Teacher of Spanish Certificate of Eligibility With Advanced Standing and his Teacher of Spanish certificate. On this 28th day of October 2010 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of James Jetter's certificates be effective immediately. It is further ORDERED that Jetter return his certificates to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A.* 18A:6-38.4.

RRH:MZ:th