

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
TAMICA RUFFIN : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0910-221

At its meeting of July 22, 2010, the State Board of Examiners (Board) reviewed information received from the Office of Criminal History Review (OCHR) and the Middlesex County Prosecutor's office (MCPO) regarding Tamica Ruffin. In June 2009, Ruffin was convicted of Harassment, Unlawful Possession of a Weapon and Possession of a Weapon for Unlawful Purposes. As a result of the conviction, Ruffin was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* The court also sentenced Ruffin to five years' probation and barred her from holding any employment, office or position of trust, honor or profit under this State or any of its administrative or political subdivisions pursuant to *N.J.S.A. 2C:51-2d.* Ruffin currently holds a Substance Awareness Coordinator Certificate of Eligibility With Advanced Standing, issued in July 2006.

Ruffin did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of September 16, 2010 to issue Ruffin an Order to Show Cause why her certificate should not be revoked.

The Board sent Ruffin the Order to Show Cause by regular and certified mail on September 23, 2010. The Order provided that Ruffin must file an Answer within 30 days. Ruffin responded on November 3, 2010. In her Answer, Ruffin admitted that she was convicted of the crimes alleged in the Order to Show Cause but stated that she was appealing her conviction. (Answer, ¶ 4). She noted that she did not challenge her criminal history before the Commissioner because of her criminal appeal. (Answer, ¶ 5). Ruffin requested that her

revocation hearing be held in abeyance pending her appeal. (Answer, ¶ 7). On March 4, 2011, the proceedings before the Board were placed into abeyance pending the outcome of Ruffin's appeal of her conviction before the Appellate Division of the Superior Court. On November 20, 2012, the Appellate Division issued a decision affirming the conviction and the matter was taken out of abeyance. *State v. Ruffin*, Dkt. No. A-0672-09T4 (App. Div. November 20, 2012) (Unpublished Opinion).

Thereafter, pursuant to *N.J.A.C.* 6A:9-17.7(e), on November 21, 2012, the Board sent Ruffin a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Ruffin 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 found just cause to take action against her certificate. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her disqualifying offense warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Ruffin was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified mail copy nor the regular mail copy was returned. Ruffin did not respond.

The threshold issue before the Board in this matter is whether Ruffin's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. At its meeting of January 25, 2013, the Board considered the allegations in the Order to Show Cause as well as Ruffin's Answer. The Board determined that no material facts related to Ruffin's offense were in dispute since she never denied that she had been convicted of the offense charged or

disqualified from public employment. 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 Ruffin's conviction and resulting disqualification, 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.

In enacting the Criminal History Review statute, *N.J.S.A. 18A:6-7.1 et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger. Individuals convicted of crimes such as Harassment, Unlawful Possession of a Weapon and Possession of a Weapon for Unlawful Purposes fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing belief that teachers must 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. Clearly, Ruffin's actions here are not those of a role model.

The strong policy statement on the part of the Legislature set forth in *N.J.S.A. 18A:6-7.1(b)* also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold herself out as a teacher. Furthermore, Ruffin was also permanently barred by the sentencing court from ever holding a public position. Thus, because both the Legislature and the court consider

Ruffin's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificate.

Accordingly, on January 25, 2013, the Board voted to revoke Tamica Ruffin's Substance Awareness Coordinator Certificate of Eligibility With Advanced Standing. On this 28th day of February 2013 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Tamica Ruffin's certificate be effective immediately. It is further ORDERED that Ruffin return her certificate 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.

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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.