

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
MARY ELLEN BECHARD : ORDER OF REVOCATION
_____ : DOCKET NO: 0910-175

At its meeting of July 22, 2010, the State Board of Examiners (Board) reviewed a decision forwarded by the Commissioner of Education that had dismissed Mary Ellen Bechard from her tenured position with the Brick Township School District (Brick) for charges of unbecoming conduct. *In the Matter of the Tenure Hearing of Mary Ellen Bechard*, Docket No. 283-10/09 (Commissioner's Decision, January 19, 2010). Bechard currently holds a Teacher of the Handicapped certificate, issued in June 1999. At its meeting of September 16, 2010, the Board voted to issue Bechard an Order to Show Cause as to why her certificate should not be revoked.

This case originated in October 2009 when Brick certified tenure charges against Bechard alleging unbecoming conduct. Brick alleged that Bechard had purposefully submitted inaccurate supplemental time sheets seeking compensation for services not rendered; collected funds from students for purchase of books at a scholastic book fair, ordered and distributed the books but failed to pay the vendor; collected funds from students and parents under the pretense of organizing a surprise party for other teachers, but did not return the funds even though no party was held; and engaged in excessive absenteeism and tardiness and failed to sign in as required. Commissioner's Decision, slip op. at 2. Brick also alleged that Bechard had fallen

asleep in class and at faculty meetings, eaten during class instructional time, failed to submit timely lesson plans, left the building during her contracted/scheduled prep period and cashed her paycheck in advance of its authorized payment date. *Ibid.*

As Bechard did not respond to the tenure charges, the Commissioner deemed them admitted and proven. Commissioner's Decision, slip op at 3. The Commissioner therefore concluded that the charges warranted Bechard's dismissal from her tenured position in the district. *Ibid.* The Commissioner transmitted the matter to the Board for appropriate action regarding Bechard's certificate. *Ibid.*

Thereafter, on September 16, 2010, the Board issued Bechard an Order to Show Cause as to why her certificate should not be revoked. The Order was predicated on the charges of unbecoming conduct that had been proven in the tenure hearing.

The Board sent Bechard the Order to Show Cause by regular and certified mail several times but all copies were returned as undeliverable. The Board could not secure a current address for Bechard and, accordingly, the Order was published in the New Jersey Star Ledger on August 30 and September 6, 2013. Bechard did not file a response to that notice. Thereafter a second notice was published in the Star Ledger on February 13 and 14, 2014. Bechard did not file a response to the second notice.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on September 5, 2014, the Board published a hearing notice in the Star Ledger, providing Bechard with the opportunity to file a written submission on the issue of whether her conduct provided just cause for the Board to take action against her certificate and, if so, the appropriate sanction. In addition, she was offered the opportunity to appear before the Board to provide testimony on the sanction issue. Once again, Bechard did not respond.

The threshold issue before the Board in this matter, therefore, is whether Bechard's conduct and her subsequent loss of tenure constitute conduct unbecoming a certificate holder.

Since Bechard never responded to the Order to Show Cause, at its meeting of December 12, 2014, the Board had only the allegations contained in the Order to Show Cause to consider. The Board determined that no material facts related to Bechard's offense were in dispute since she did not deny that she had lost her tenured position as a result of the tenure proceedings brought against her. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(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 Bechard's conduct as set forth in the Order to Show Cause, represents just cause to act against her certificate pursuant to *N.J.A.C. 6A:9B-4.5*. The Board finds that it does.

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:9B-4.5*. "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. There can be no dispute that Bechard's ongoing conduct in collecting money from students and parents under false pretenses, failing to pay obligations to vendors, submitting inaccurate timesheets for services not rendered, engaging in excessive absenteeism and tardiness and generally failing to fulfill her professional obligations amply demonstrates her inability to be a role model for students. Her inappropriate behavior speaks volumes about her unfitness to be a teacher. The Board therefore concludes that the only appropriate response to Bechard's breach is the revocation of her teaching certificate.

Accordingly, on December 12, 2014, the Board voted to revoke Mary Ellen Bechard's Teacher of the Handicapped certificate. On this 23rd day of January 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Bechard's certificate be effective immediately. It is further ORDERED that Bechard 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.

Robert R. Higgins, Secretary
State Board of Examiners

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