

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
GLENN WASHBURN : ORDER OF REVOCATION
_____ : DOCKET NO: 1314-232

At its meeting of September 19, 2014, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU), the Division of Criminal Justice and the Monmouth County Vocational School District (MCVSD) regarding Glenn Washburn. In May 2014, Washburn pled guilty to Theft of Movable Property involving a motor vehicle owned by MCVSD and was sentenced to two years' probation. Washburn was also ordered to forfeit his public office and permanently barred from public employment under *N.J.S.A. 2C:51-2*, pursuant to a consent order he had signed. The CHRU notified the Board that, as a result of his conviction, Washburn was also disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Washburn currently holds a Teacher of Automotive Technology certificate, issued in May 2005.

Washburn did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of October 23, 2014 to issue Washburn an Order to Show Cause why his certificate should not be revoked.

The Board sent Washburn the Order to Show Cause by regular and certified mail on October 27, 2014. The Order provided that Washburn must file an Answer within 30 days. The certified mail receipt was signed and returned and the regular mail copy was not returned. Washburn did not file a response. Thereafter, on December 4, 2014, the Board sent Washburn another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. Washburn filed a response on December 16, 2014.

In his Answer, Washburn stated that he had worked successfully under his former principal at MVCSD. (Answer, p. 1). When that principal retired and two new administrators took charge, according to Washburn, “the school went on the decline both morally and corruptively.” (Answer, p. 2). Washburn stated that the new principal, Joseph Diver, was unprofessional and a bully. (Answer, p. 3). After Diver made a comment to Washburn stating, “Yo, you know it’s hard to find a grease monkey with an education; this is why we have you,” Washburn filed a grievance. (Answer, p. 3). Washburn claims that after he did so, his life at MCVSD “began to decline for the worst.” (Answer, p. 3). Washburn stated that he had had impeccable evaluations and had won several automotive competitions. (Answer, p. 3). Washburn also stated that the new Vice Principal, Myrna Velez, came into his classroom when he was absent for three days and told his students he had abandoned his position. (Answer, p. 3). According to Washburn’s students, Velez offered them hot chocolate and donuts if they would write letters to the Superintendent claiming that when Washburn was absent they were not getting any work from him. (Answer, p. 3). Velez allegedly told the students to address the letters to the Superintendent and she would take it from there. (Answer, p. 3). Washburn also said that the day after he filed the grievance, Diver came into his classroom and told Washburn that he was calling the police to report a car missing. (Answer, p. 4). Washburn claimed that a car donated to the automotive program by one of Velez’s friends was reported missing, when in reality, he had scrapped the car as he had always done and donated the money back into the student programs. (Answer, p. 4). Washburn stated that he had Diver’s approval to do so and they had even discussed the car the previous week. (Answer, p. 4). According to Washburn, Diver was now saying that Washburn should have and did not secure Board or Education approval and told that to police. (Answer, p. 4). Washburn claims that he was set up by Diver

and Velez in retaliation for filing a grievance. (Answer, p. 4). He added that when he reported what happened to the administration, Velez was fired as a result. (Answer, p. 4). Washburn noted that “losing my teaching certificate is worse than losing anything else that has been taken away from me.” (Answer, p. 5). In addition to his Answer, Washburn submitted numerous reference letters from former students and others.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on December 30, 2014, the Board sent Washburn a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Washburn 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 his certificate. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if his disqualifying offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Washburn 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. Washburn did not respond.

The threshold issue before the Board in this matter is whether Washburn’s conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. At its meeting of April 17, 2015, the Board considered the allegations in the Order to Show Cause and Washburn’s Answer. The Board determined that no material facts related to Washburn’s offense were in dispute since he never denied that he had been convicted of the offense charged and been subsequently disqualified. 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 Washburn's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against his certificate pursuant to *N.J.A.C. 6A:9B-4.5*. 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 Theft of Movable Property fall squarely within this category. The strong legislative policy statement is also 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. Moreover, 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Washburn's conviction for Theft of Movable Property demonstrates behavior that falls far short 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 himself out as a teacher. Furthermore, after signing a consent agreement, Washburn was also

permanently barred by the sentencing court from ever holding a public position. Thus, because both the Legislature and the court consider Washburn's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of his certificate.

Accordingly, on April 17, 2015, the Board voted to revoke Glenn Washburn's Teacher of Automotive Technology certificate. On this 21st day of May 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Glenn Washburn's certificate be effective immediately. It is further ORDERED that Washburn return his 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

RRH/MZ/th

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.