

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ANDREA H. GRANNEMANN : ORDER OF SUSPENSION
_____ : DOCKET NO: 1415-219

At its meeting of April 17, 2015, the State Board of Examiners (Board) reviewed information the Morris County Prosecutor's Office had forwarded regarding Andrea H. Grannemann. After being charged with Cruelty and Neglect of Children, Grannemann was accepted into a Pretrial Intervention program (PTI) for 24 months. According to the Criminal Complaint, Grannemann left her four-year-old child unattended in a car on a hot summer day while she went shopping. Grannemann currently holds a Teacher of Elementary School Certificate of Eligibility, issued in May 2001, a Teacher of Elementary School certificate, issued in August 2002, a Teacher of Social Studies certificate, issued in December 2002 and a Principal Certificate of Eligibility, issued in July 2008. Upon review of the above information, at its May 21, 2015 meeting, the Board voted to issue Grannemann an Order to Show Cause as to why her certificates should not be suspended.

The Board sent Grannemann the Order to Show Cause by regular and certified mail on May 26, 2015. The Order provided that Grannemann had 30 days to respond. On June 24, 2015, Grannemann's counsel submitted a letter noting Grannemann's admission into PTI "without the necessity of a plea acknowledging criminal responsibility." (Grannemann correspondence, June 24, 2015, p. 1). He also stated that Grannemann began counseling immediately after the alleged incident. (Grannemann correspondence, June 24, 2015, p. 1). He added that there were no other incidents prior or subsequent to this one in Grannemann's life. (Grannemann correspondence, June 24, 2015, p. 1). He therefore asked the Board to reserve judgment on the suspension of her certificates. (Grannemann correspondence, June 24, 2015, p. 1).

By letter dated July 1, 2015, the Board asked Grannemann to provide additional details regarding the basis for her request for the Board to reserve judgment. On July 24, 2015, Grannemann's counsel noted that he was asking the Board to consider his client's unblemished record prior and subsequent to the incident. (Grannemann correspondence, July 14, 2015, p. 1). He added that she had been counseled by a therapist and treated by a medical doctor since the incident. (Grannemann correspondence, July 14, 2015, p. 1). Grannemann's attorney therefore requested that her certificates not be suspended or, alternately, that the Board reserve judgment to allow additional time to pass to monitor the continued progress with her treatment. (Grannemann correspondence, July 14, 2015, p. 1).

At its meeting of July 30, 2015, the Board voted to deny Grannemann's request to reserve judgment. On August 3, 2015, the Board re-sent Grannemann's attorney the Order to Show Cause by regular mail and again provided 30 days for a response. When he failed to file an Answer, on September 30, 2015, the Board sent him another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular copy was not returned. Grannemann's counsel did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*¹, on November 9, 2015, the Board sent Grannemann's counsel a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Grannemann 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 her certificates. It also explained that upon review of the charges against her and the legal arguments

¹ This regulation was subsequently recodified at *N.J.A.C. 6A:9B-4.6(e)*.

tendered in her defense, the Board would determine if Grannemann's offenses warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Grannemann was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Grannemann's counsel did not respond.

The threshold issue before the Board in this matter is whether Grannemann's conduct constitutes conduct unbecoming a certificate holder. Since Grannemann failed to file an Answer or respond substantively to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of January 21, 2016, the Board considered only the allegations in the Order to Show Cause, the information received from the Morris County Prosecutor's Office and the letters Grannemann submitted regarding her treatment. The Board concluded that no material facts related to Grannemann's offense were in dispute since she never denied that she engaged in the conduct alleged and therefore determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(h)*. After reviewing the allegations, the Board found that Grannemann had engaged in unbecoming conduct.

The Board must now determine whether Grannemann's conduct, as set forth in the Order to Show Cause, provides just cause to act against her certificates pursuant to *N.J.A.C. 6A:9B-4.4*. 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-4.4*. "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). Grannemann's conduct in leaving her four-year-old unattended in a car on a hot summer day, however briefly, is conduct that indicates a serious lapse in judgment. However, because it was an isolated and aberrational event, and Grannemann has continued to receive counseling and medical treatment since the event, the Board believes that suspension is warranted here. The Board therefore concludes that the appropriate response to Grannemann's breach is a two-year suspension of her teaching certificates.

Accordingly, on January 21, 2016, the Board voted to suspend Andrea H. Grannemann's Teacher of Elementary School and Principal Certificates of Eligibility and her Teacher of Elementary School and Teacher of Social Studies certificates for a period of two years, effective immediately. On this 3rd day of March 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the suspension of Grannemann's certificates be effective immediately. It is further ORDERED that Grannemann return her certificates to the Secretary of the State Board of Examiners, Office of Certification and Induction, 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.