

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
REMARNO O. CHAMBERS : ORDER OF REVOCATION
_____ : DOCKET NO: 1314-209

At its meeting of December 10, 2015, the State Board of Examiners (Board) reviewed information received from the Cumberland County Prosecutor's Office and the Criminal History Review Unit (CHRU) regarding Remarno O. Chambers. On July 24, 2015, Chambers was convicted of Possession with Intent to Distribute Marijuana. On September 25, 2015, he was sentenced to three years' probation and ordered to undergo drug and alcohol evaluation and treatment. The CHRU notified the Board that, as a result of his conviction, Chambers was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Chambers currently holds a Teacher of Elementary School in Grades K-5 Certificate of Eligibility, issued in December 2008, a Teacher of Students With Disabilities Certificate of Eligibility, issued in September 2010 and a Teacher of Comprehensive Business Certificate of Eligibility, issued in September 2010.

Chambers 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 January 21, 2016 to issue Chambers an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Chambers the Order to Show Cause by regular and certified mail on January 25, 2016. The Order provided that Chambers must file an Answer within 30 days. The certified mail receipt was returned "Notify Sender of New Address" and the regular mail copy was not returned. Chambers did not file a response. Thereafter, on March 4, 2016, the Board re-sent Chambers the Order to Show Cause at the new address by regular and certified mail. The

certified mail was returned as “Unclaimed” and the regular mail copy was not returned. Chambers did not file a response. On April 12, 2016, the Board then sent Chambers another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. Neither the certified mail nor regular mail copy was returned. Chambers did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on May 17, 2016, the Board sent Chambers a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of his failure to file an Answer. Thus, Chambers 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 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 his offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Chambers 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, Chambers did not respond.

The threshold issue before the Board in this matter is whether Chambers’ conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Chambers failed to respond 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 September 16, 2016, the Board considered only the allegations in the Order to Show Cause and the information

received from the CHRU. The Board concluded that no material facts related to Chambers' offense were in dispute since he never denied that he engaged in the conduct alleged and therefore determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h). After reviewing the allegations, the Board found that Chambers had engaged in unbecoming conduct.

The Board must now determine whether Chambers' conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against his certificates pursuant to *N.J.A.C.* 6A:9B-4.4. 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 Possession with Intent to Distribute Marijuana 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, Chambers' conviction 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 herself out as a teacher. Thus, because the Legislature and the Commissioner consider Chambers' offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of his certificates.

Accordingly, on September 16, 2016, the Board voted to revoke Remarno O. Chambers' Teacher of Elementary School in Grades K-5, Teacher of Students With Disabilities and Teacher of Comprehensive Business Certificates of Eligibility. On this 1st day of November 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Chambers' certificates be effective immediately. It is further ORDERED that Chambers return his 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

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.