

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFIATES OF : STATE BOARD OF EXAMINERS
REGINALD LAWRENCE : ORDER OF REVOCATION
_____ : DOCKET NO: 1617-141

At its meeting of April 6, 2017, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU) and the Burlington County Prosecutor's Office (BCPO) regarding Reginald Lawrence. On September 27, 2016, Lawrence pled guilty to Misapplication of Entrusted Property. On January 25, 2017, Lawrence was sentenced to 90 days in the Burlington County Jail. As part of his guilty plea, Lawrence was also "forever disqualified from holding any office or position of honor, trust, or profit under this State or any of its administrative or political subdivisions" pursuant to *N.J.S.A. 2C:51-2(d)*. The CHRU notified the Board that, as a result of his conviction, Lawrence was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Lawrence currently holds a Teacher of Social Studies Certificate of Eligibility, issued in August 1996 and a Teacher of Social Studies certificate, issued in September 1997.

Lawrence 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 May 12, 2017 to issue Lawrence an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Lawrence the Order to Show Cause by regular and certified mail on May 17, 2017. The certified mail receipt was signed and returned and the regular mail copy was not returned. Lawrence did not file a response. On July 10, 2017, the Board sent Lawrence 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 copy nor the regular mail copy was returned. Lawrence did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on July 31, 2017, the Board sent Lawrence 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, Lawrence 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. Lawrence was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail was returned as "Unclaimed" and the regular mail copy was not returned. Once again, Lawrence did not respond.

The threshold issue before the Board in this matter is whether Lawrence's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Lawrence 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 November 1, 2017, the Board considered only the allegations in the Order to Show Cause and the information received from the CHRU and the BCPO. The Board concluded that no material facts related to Lawrence's 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 Lawrence had engaged in unbecoming conduct.

The Board must now determine whether Lawrence's 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 of dishonesty such as Misapplication of Entrusted 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, Lawrence's 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 himself out as a teacher. Thus, because the Legislature and the Commissioner consider Lawrence's

offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of his certificates.

Accordingly, on November 1, 2017, the Board voted to revoke Reginald Lawrence's Teacher of Social Studies Certificate of Eligibility and his Teacher of Social Studies certificate. On this 8th day of December 2017 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Lawrence's certificates be effective immediately. It is further ORDERED that Lawrence 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.