

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
NADINE A. WRIGHT : ORDER OF REVOCATION
_____ : DOCKET NO: 1617-117

At its meeting of March 3, 2017, the State Board of Examiners (Board) reviewed information received from the Monmouth County Prosecutor's Office and the Criminal History Review Unit (CHRU) regarding Nadine A. Wright. On October 31, 2016, Wright pled guilty to Conspiracy and Possession of CDS. Wright received an Order of Postponement and was accepted into a Pretrial Intervention program (PTI) for 12 months as a result of the incident. The CHRU notified the Board that, as a result of her conviction, Wright was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Wright currently holds a Teacher of the Handicapped certificate, issued in July 2002.

Wright did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of April 6, 2017 to issue Wright an Order to Show Cause as to why her certificate should not be revoked.

The Board sent Wright the Order to Show Cause by regular and certified mail on April 10, 2017. The Order provided that Wright had 30 days to respond. Both the certified and regular mail copies were returned as "Not Deliverable as Addressed." After another unsuccessful attempt at delivery, the Board secured a new address for Wright, and re-sent the Order to Show Cause by regular and certified mail on June 21, 2017. The certified mail copy came back as "Unclaimed" and the regular mail copy was not returned. Wright did not file a response.

Thereafter, on August 11, 2017, the Board sent Wright another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. Both the certified and the regular mail copies were returned as “Unable to Forward.” Once again the Board secured a new address for Wright and re-sent the Second Notice to her on September 28, 2017. The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Wright did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on November 17, 2017, the Board sent Wright 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 her failure to file an Answer. Thus, Wright 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 her certificate. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her offense warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Wright 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. Once again, Wright did not file a response.

The threshold issue before the Board in this matter is whether Wright’s conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Wright 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 March 1, 2018, the

Board considered only the allegations in the Order to Show Cause and the information received from the Prosecutor's Office and the CHRU. The Board concluded that no material facts related to Wright'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-4.6(h)*. After reviewing the allegations, the Board found that Wright had engaged in unbecoming conduct.

The Board must now determine whether Wright's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her certificate 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 Conspiracy and Possession of CDS 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, Wright'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 herself out as a teacher. Thus, because the Legislature and the Commissioner consider Wright's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificate.

Accordingly, on March 1, 2018, the Board voted to revoke Nadine A. Wright's Teacher of the Handicapped certificate. On this 13th day of April 2018, the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Wright's certificate be effective immediately. It is further ORDERED that Wright return her certificate 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.