

IN THE MATTER OF THE TENURE :
HEARING OF JODI THORP, STATE-OPERATED : COMMISSIONER OF EDUCATION
SCHOOL DISTRICT OF THE CITY OF PATERSON, :
PASSAIC COUNTY. : DECISION

SYNOPSIS

The Board certified tenure charges of multiple counts of conduct unbecoming against Jodi Thorp – a tenured teacher – for alleged sexual misconduct with students between 1999 and 2002. The case was placed on inactive status pending resolution of criminal charges against respondent that were based on the same alleged sexual misconduct. Subsequently, the respondent entered a guilty plea to endangering the welfare of a child, which resulted in a Judgment of Conviction that required the forfeiture of respondent’s teaching certificate(s).

The ALJ found that: the tenure charges and the criminal charges against respondent are based on the allegation of sexual misconduct with students; consistent with the Judgment of Conviction, the respondent is guilty of unbecoming conduct; there is just cause for respondent’s dismissal from employment; the forfeiture of respondent’s teaching certificate also necessitates her dismissal; and respondent’s purported defenses and her request for hearing are moot. Accordingly, the ALJ dismissed the respondent’s request for a hearing with prejudice, and ordered her dismissed from employment as a tenured teacher in the State-Operated School District of the City of Paterson.

Upon independent review of the record, the Commissioner adopted the Initial Decision of the OAL as the final decision in this matter and ordered a copy of this decision forwarded to the State Board of Examiners for any action which that body may deem appropriate.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

March 19, 2007

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The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties filed no exceptions to the Initial Decision.

Upon such review, the Commissioner concurs with the Administrative Law Judge that the underlying criminal charges which led to the Superior Court's Judgment of Conviction requiring respondent's forfeiture of her teaching certificate(s) arose from the same actions which formed the basis of the District's instant tenure charges against her. Consequently, consistent with the Judgment of Conviction in her criminal case, respondent is guilty of unbecoming conduct; there is just cause for her dismissal from her tenured position with the District; and respondent's asserted defenses and request for a hearing in this tenure matter have been rendered moot.

Accordingly, the decision of the OAL recommending respondent's dismissal from her employment with the State-Operated School District of the City of Paterson is adopted for the reasons stated therein. A copy of this decision will be forwarded to the State Board of Examiners for any action which that body may deem necessary.

IT IS SO ORDERED.*

COMMISSIONER OF EDUCATION

Date of Decision: March 19, 2007

Date of Mailing: March 20, 2007

*This decision may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6A:4-1.1 et seq.*