

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION

THE LICENSE OF : STATE BOARD OF EXAMINERS

JAMES EPPS : ORDER OF SUSPENSION

_____ DOCKET NO: 441-04/97 - 113

At its meeting of April 3, 1997, the State Board of Examiners reviewed the information forwarded to it by the Camden County Superintendent of Schools indicating that James Epps had presented bogus Supervisor and Principal/Supervisor licenses to the Camden City School District when he applied for an assistant principal position. Respondent holds a bona fide Teacher of English license.

At that meeting, the State Board of Examiners voted that said information constituted sufficient grounds for issuing an Order to Show Cause why Respondent's teaching license should not be revoked or suspended. Respondent was served with said Order to Show Cause by regular and certified mail on or about April 23, 1997. Said Order provided that if Respondent desired to file an Answer to said Order, such answer must be filed within twenty (20) days.

Respondent provided an Answer to the Order to Show Cause dated May 14, 1997. On July 22, 1997 Respondent was asked to provide a conforming Answer to the Show Cause Order. On July 29, 1997 Respondent requested by telephone, another copy of the Order to Show Cause. It was mailed to him on July 30, 1997. On August 25, 1997, an Answer to the Order to Show Cause was received.

On August 29, 1997, a hearing notice was mailed by regular and certified mail to Respondent regarding the hearing procedures embodied in N.J.A.C. 6:11-3.6(a)1. Said notice explained that, it appearing that no material facts were in dispute, Respondent was being provided the opportunity to

offer legal argument regarding whether his submission of a bogus license constituted conduct unbecoming a teaching staff member. On September 22, 1997 a response to the hearing notice was received from Respondent.

Respondent's August 19, 1997 answer to the Order to Show Cause admits that in July of 1996 he applied for an assistant principal position within his school district after serving eleven years in the position of an administrative assistant and that he does not hold a supervisor nor a principal/supervisor license. He further acknowledged that as a result of submitting a bogus license for employment he is subject to suspension or revocation of his Teacher of English license in New Jersey. He recognizes the error of his action, apologizes and asks the Board not to suspend or revoke insofar as he is the sole support of his children. Respondent's response to the hearing notice refers to his Answer and submits that he has nothing else to add to the record.

At its meeting of November 20, 1997 the State Board of Examiners reviewed the charges lodged against Respondent as well as the documentation filed by the county superintendent's office as evidence of the charges. The State Board of Examiners determined that no material facts related to the charges levied against Respondent were in contest. Respondent in fact admits that he submitted a fallacious license in applying for the position in the Camden City School District. Accordingly, the matter could, therefore, proceed to a determination as to whether the charges levied against Respondent in the Order to Show Cause constitutes conduct unbecoming a license holder pursuant to N.J.A.C. 6:11-3.6(a)1.

In this case, Respondent has engaged in a dishonest misrepresentation of the status of his professional license. The Commissioner has determined in the past that guilty pleas involving crimes of dishonesty constitute conduct unbecoming a teaching staff member sufficient to warrant dismissal. See, e.g., In the Matter of the Tenure Hearing of Emil J. Guasconi, School of the Town of West

New York Hudson County, 1977 S.L.D 513. While this matter did not concern a criminal conviction, the conduct involved is extremely serious. The creation of a bogus license impairs the integrity of the licensure system. Although Respondent admits his guilt and professes regret for his action, it is the conclusion of the State Board of Examiners that Respondent's actions reflect discredit upon the teaching profession and therefore represent conduct unbecoming a license holder.

A teacher's behavior outside the classroom may be relevant in determining that person's qualification and continuous fitness to hold a license to teach. In re Tenure Hearing of Grossman, 127 N.J. Supra 13 (App. Div. 1974). Respondent's attempt to obtain a position by relying on a forged license reveals that he lacks an understanding of the standards of conduct required of a teacher. Respondent herein acted in a manner entirely inconsistent with the expectations of a school administrator, impairing the confidence the students and public placed in him by holding himself out as certified for a position for which he was unqualified.

It is the conclusion of the State Board of Examiners, therefore, that the knowing submission of a bogus license for employment as a school administrator warrants sanction in order to maintain the integrity of teaching licensure and to deter others from similar conduct. See, In the Matter of the Certificate of Paul Debello, decided by the State Board of Examiners December 3, 1996, Agency Dkt. No. 263-09/94-66. The Board thus determines that the appropriate penalty for Respondent's unbecoming conduct is the suspension of his licensure as a Teacher of English for a period of one year, commencing on January 1, 1998 and continuing until December 31, 1998.

It is, therefore ORDERED on this 20th day of November, 1997, that James Epps' New Jersey license as a Teacher of English is hereby suspended for one year between January 1, 1998 through December 31, 1998.

It is further ORDERED that James Epps return his Teacher of English license to the Secretary of the State Board of Examiners, Office of Licensing, P.O. Box 500, Trenton, NJ 08625-0500 during the period of the suspension.

Secretary
New Jersey State Board of Examiners

Date of Mailing: December 19, 1997

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

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