

June 9, 1998

RE: In the Matter of the Application
for Licensure of Brian C. Bookman

Dear Mr. Bookman:

At its meeting of May 14, 1998 the State Board of Examiners reviewed your application for a Teacher of Elementary School Certificate of Eligibility With Advanced Standing. Its review included the information you provided concerning your 1994 conviction on charges of second degree kidnapping and common robbery, for which you were sentenced to five (5) years' probation in November, 1995.

Upon careful consideration of your record, the State Board of Examiners voted to block issuance of a Teacher of Elementary School Certificate of Eligibility With Advanced Standing based on your criminal record. The issue before the State Board of Examiners in this matter is to determine whether your offenses, one involving dishonesty and one of kidnapping, represent cause to block your application for licensure pursuant to N.J.A.C. 6:11-3.6(a)1.

Those who hold teaching licenses are entrusted by the State with the care and custody of school children. Tenure Hearing of Sammons, 1972 S.L.D. 302, 321. Your convictions, taken together, suggest that you are not deserving of that most sacred trust

bestowed upon teachers. You admit that the offenses in question are serious ones, and ones for which you were convicted. Equally troubling is your statement that you were unaware at the time of the events in question of your criminal complicity in the kidnapping and robbery of the student victim. Such circumstances represent behavior so foreign to the expectations of the deeds and actions of a professional licensed teacher – or of any person – as to preclude your being given access to children as a teacher.

Because your offenses represent conduct inappropriate for one seeking licensure, the State Board of Examiners in this matter believes that it is appropriate to block your application for a Teacher of Elementary School Certificate of Eligibility With Advanced Standing. It so finds having determined that your application does not demonstrate rehabilitation pursuant to N.J.S.A. 2A:168A, the Rehabilitated Convicted Offenders Act. While you include letters of reference, you have not produced the official court documents regarding these offenses. Moreover, the crimes were committed only four years ago. Insufficient time has passed to demonstrate rehabilitation, considering the seriousness of the offenses at issue.

Finally, the State Board of Examiners notes that although you have not been fingerprinted for clearance for employment through the Office of Criminal History Review, kidnapping is a disqualifying offense pursuant to N.J.S. A. 18A:6-7.1. Unless reversed by the Commissioner of Education, such disqualification would automatically preclude your employment in any institution under the supervision of the Department of Education.

Accordingly, for the reasons stated above, your application for licensure in the State of New Jersey is hereby blocked.

Appeal of this decision is made before the Commissioner of Education pursuant to N.J.A.C. 6:24-1 *et seq.*

Very truly yours,

Ida B. Graham, Secretary
State Board of Examiners