

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
SHAUNA EHLERS : ORDER OF REVOCATION
_____ : DOCKET NO: 0506-191

At its meeting of January 18, 2007, the State Board of Examiners reviewed information the Office of Criminal History Review had forwarded indicating that Shauna Ehlers was convicted in 2006 on charges of possession of drug paraphernalia.* As a result of such conviction, Ehlers was disqualified from public service pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Ehlers did not challenge the accuracy of her criminal history record before the Commissioner of Education. Ehlers currently holds a Teacher of English Certificate of Eligibility With Advanced Standing, issued in June 2004. Upon review of the above information, at its February 22, 2007, meeting, the State Board of Examiners voted to issue Ehlers an Order to Show Cause.

The Board sent Ehlers the Order to Show Cause by regular and certified mail on March 5, 2007. The certified mail copy was returned unclaimed. The regular mail copy was not returned. The Order provided that Ehlers must file an Answer within 30 days. Ehlers did not respond to the Order. Thereafter, the Board sent Ehlers a second notice by regular and certified mail providing her an additional 15 days in which to file an Answer. The certified mail copy was returned as unclaimed. The regular mail copy was not returned. The notice explained that if she did not file a response, the allegations in the Order to Show Cause would be deemed admitted and the Board of Examiners would decide the matter based on the evidence before it. Once again, Ehlers did not file an Answer.

At its meeting of June 7, 2007, the State Board of Examiners reviewed the charges in the Order to Show Cause. Since there was no response, the Board of Examiners determined that no

* On December 7, 2006, the State Board of Examiners formally adopted its written decision suspending Ehlers' certificate. The suspension was based on her arrest for possession/use of a controlled dangerous substance and possession of drug paraphernalia.

material facts related to Ehlers' offense were in dispute since she had never denied that she had been convicted of the offense nor did she deny the resulting disqualification. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The issue before the State Board of Examiners in this matter, therefore, is whether Ehlers' disqualification, which was predicated on the same offense as was set forth in the Order to Show Cause, represents just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

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 to them. In 1989, the Legislature specifically amended the statute to include all convictions concerning controlled dangerous substances as disqualifying offenses. *See N.J.S.A. 18A:6-7.1(b)*. This amendment was a clear recognition on the part of the Legislature that individuals with such drug convictions should not be permitted to be in contact with school-aged children. The consistent and long-standing policy of this State is to eliminate the use of illegal drugs. *See In the Matter of the Tenure Hearing of David Earl Humphreys, 1978 S.L.D. 689*. To that end, the State and its schools have engaged in extensive educational efforts to warn the citizenry of the perils of illicit drugs. *See In the Matter of the Certificate of Barbara Corwick, OAL Dkt. No. EDE 3562-87, State Board of Examiners decision (March 24, 1988)*. Those who violate this deep-rooted policy, *whether by the use of drugs or their manufacture and distribution*, endanger the public welfare; they cannot be entrusted with the responsibility of caring for school-aged pupils. Accordingly, the State Board of Examiners finds that Ehlers' disqualification from service in the public schools of this State because of her conviction for possession of drug paraphernalia provides just cause to take action against her certificate.

That 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 State Board of Examiners 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 license 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. Because the Legislature considers Ehlers' offense so significant, the State Board of Examiners in this matter believes that the appropriate sanction for her disqualification is the revocation of her certificate to teach. *See In the Matter of the Revocation of the Teaching Certificate of Patricia Rector*, Agency Dkt. No. 19-02 (St. Bd. of Education, August 7, 2002) (affirming the decision of the State Board of Examiners to revoke Rector's teaching certificate on the basis of the disqualification pursuant to *N.J.S.A. 18A:6-7.1.*)

Accordingly, on June 7, 2007, the Board of Examiners voted to revoke Ehlers' certificate. On this 19th day of July 2007, the Board of Examiners formally adopted its written decision to revoke and it is therefore ORDERED that Shauna Ehlers' Teacher of English Certificate of Eligibility With Advanced Standing be revoked effective this day. It is further ORDERED that Ehlers return her certificate to the Secretary of the State Board of Examiners, Office of Licensure and Credentials, PO Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing: JULY 20th, 2007

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