

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
LONNIE BOOHER : ORDER OF REVOCATION
_____ : DOCKET NO: 1112-104

At its meeting of September 15, 2011, the State Board of Examiners (Board) reviewed information regarding Lonnie Booher. On November 27, 2002, the Pennsylvania Professional Standards and Practices Commission revoked Booher's Pennsylvania certificate due to his conviction for Corruption of Minors. On November 6, 2002, Booher had also pled guilty to Harassment/Stalking by Communicating Lewd/Obscene etc., False Imprisonment, Luring Child Into Motor Vehicle, Involuntary Deviate Sexual Intercourse by Threat of Forcible Compulsion, Simple Assault, Aggravated Assault and Kidnapping for Ransom. Booher was sentenced to between five and 11 years in prison on all of the charges. In New Jersey, Booher currently holds a Teacher of Social Studies Certificate of Eligibility With Advanced Standing, issued in November 1999. Upon review of the above information, at its November 1, 2011 meeting, the Board voted to issue Booher an Order to Show Cause.

The Board sent Booher the Order to Show Cause by regular and certified mail on January 10, 2012. The certified mail receipt was signed and returned. The regular mail copy was not returned. The Order provided that Booher must file an Answer within 30 days. Booher did not file an Answer. Thereafter, on February 21, 2012, the Board sent Booher another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned. The regular mail copy was not returned. Booher did not respond to the second notice.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on March 14, 2012, the Board sent Booher a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Booher 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 determined to take action against his certificate. It also explained that upon review of the charges against him and the

legal arguments tendered in his defense, the Board would determine if Booher's conduct warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Booher was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Booher did not file a response.

The threshold issue before the Board in this matter, therefore, is whether Booher's convictions and the revocation of his Pennsylvania license constitute conduct unbecoming a certificate holder. Since Booher failed to respond to the Order to Show Cause or the hearing notice, at its meeting of May 17, 2012, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Booher's offenses were in dispute since he never denied that he had been convicted of the offenses charged and had been sentenced accordingly. Nor did he deny that his Pennsylvania teaching certificate had been revoked. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Booher's conviction and the revocation of his Pennsylvania certificate, as set forth in the Order to Show Cause, provide just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

The Board may revoke or suspend the certification of any certificate holder on the basis of demonstrated inefficiency, incapacity, conduct unbecoming a teacher or other just cause. *N.J.A.C. 6A:9-17.5*. "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. Booher's acts of Corruption of Minors, Harassment/Stalking by Communicating Lewd/Obscene etc., False Imprisonment, Luring Child Into Motor Vehicle, Involuntary Deviate Sexual Intercourse by Threat of Forcible Compulsion, Simple Assault, Aggravated Assault and Kidnapping for Ransom are inexcusable for any individual, teacher or not.

The Commissioner has long held that teachers serve as role models for their students. Clearly, a teacher convicted of Corruption of Minors, Harassment/Stalking by Communicating Lewd/Obscene etc., False Imprisonment, Luring Child Into Motor Vehicle, Involuntary Deviate Sexual Intercourse by Threat of Forcible Compulsion, Simple Assault, Aggravated Assault and Kidnapping for Ransom cannot claim status as a role model to anyone. Booher's convictions therefore warrant revocation. *In the Matter of the Certificates of Kevin Jordan*, Dkt. No. A-0155-08T3 (App. Div. October 5, 2009) (Unpublished Opinion).

Accordingly, on May 17, 2012, the Board voted to revoke Lonnie Booher's Teacher of Social Studies Certificate of Eligibility With Advanced Standing. On this 21st day of June 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Booher's certificate be effective immediately. It is further ORDERED that Booher return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, 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

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to *N.J.S.A.* 18A:6-38.4.