

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
PETER WEINDORFER : ORDER OF SUSPENSION
_____ : DOCKET NO: 1112-133

At its meeting of November 1, 2011, the State Board of Examiners (Board) reviewed information regarding Peter Weindorfer. On December 21, 2009, the Pennsylvania Professional Standards and Practices Commission revoked Weindorfer's Pennsylvania certificates as a result of his 1995 Forgery conviction. When Weindorfer applied for certification in New Jersey, he circled "no" on his notarized Oath of Allegiance/Verification of Accuracy form, dated October 27, 2009, in response to the question of whether he had been convicted of a criminal offense in New Jersey or any other state. In addition, as part of the New Jersey application process, Weindorfer submitted a copy of his Pennsylvania teaching certificate on February 29, 2010 without revealing that it had been revoked in December 2009. In New Jersey, Weindorfer currently holds a Teacher of Elementary School Certificate of Eligibility With Advanced Standing, issued in November 1996. Upon review of the above information, at its December 16, 2011 meeting, the Board voted to issue Weindorfer an Order to Show Cause.

The Board sent Weindorfer the Order to Show Cause by regular and certified mail on December 22, 2011. The Order provided that Weindorfer must file an Answer within 30 days. Weindorfer responded on January 18, 2012. In that Answer, Weindorfer admitted the allegations in the Order to Show Cause but explained that his forgery occurred in the context of his seeking emergency visitation rights to see his son and was not done for monetary gain. (Answer, ¶ 3). He stated that he was appealing his Pennsylvania revocation and did not realize that his license was subject to revocation for not disclosing his conviction. (Answer, ¶ 5). Weindorfer added that he did disclose his conviction when he applied to Camden City for a position and claimed that he was not hiding his Pennsylvania revocation when he submitted a copy of his Pennsylvania license to the Office of Licensure and Credentials in his application. (Answer, ¶ 6). Finally, Weindorfer stated that he knew these explanations did not excuse his mistakes but he hoped that the Board would take "my dedication to teaching, my excellent work history in

New Jersey, and my determination to turn this experience into an opportunity to grow as a person into consideration.” (Answer, ¶ 8).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on January 24, 2012, the Board sent Weindorfer a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Weindorfer 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 Weindorfer’s conduct warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Weindorfer was also offered the opportunity to appear before the Board to provide testimony on the sanction issue.

Weindorfer submitted a brief on February 23, 2012. In that submission, Weindorfer explained that seventeen years ago during child visitation proceedings, he signed his attorney’s name to one of the court documents to keep his case progressing while he sought another lawyer. (Hearing Response, p. 1). At the time Weindorfer’s lawyer was his fiancée and when the relationship ended they agreed that it would be best if he retained a new attorney. (Hearing Response, p. 1). Weindorfer stated that he knew his actions were wrong and expressed his deep regret. (Hearing Response, p. 1). He added that he believed it was a summary offense and “therefore not subject to disclosure like a misdemeanor, until I was notified, nearly 16 years later, that the Pennsylvania Professional Standards and Practices considered my teaching license subject to revocation due to my failure to disclose that I’d been convicted of a crime.” (Hearing Response, p. 1). Weindorfer reiterated that he did disclose his Forgery conviction when he applied to Camden for a job. (Hearing Response, p. 2). He added that teaching was his pride and joy and that since his removal from the classroom he had received his Master of Science in Education. (Hearing Response, p. 2). Weindorfer noted that he wanted to return to the classroom “where I believe I still have a lot to offer as an educator.” (Hearing Response, p. 2). Finally, Weindorfer argued that if a sanction were imposed against him, he hoped that the door to returning to teaching would remain open.

(Hearing Response, p. 3). While he again expressed remorse for his poor decisions, he hoped that the Board would find him worthy of another chance. (Hearing Response, p. 3). In addition to his Hearing Response, Weindorfer requested to appear before the Board.

In testimony before the Board, Weindorfer stated that he had made a bad decision but that he had a lot to offer students in New Jersey and wanted to be a positive role model. He noted that he was very sorry and that teaching was his life.

The threshold issue before the Board in this matter, therefore, is whether Weindorfer's conduct in misrepresenting his prior conviction on his New Jersey certification application constitutes conduct unbecoming a certificate holder. At its meeting of May 17, 2012, the Board considered the allegations in the Order to Show Cause, Weindorfer's Answer, Hearing Response and testimony. The Board determined that no material facts related to Weindorfer's offense were in dispute since he admitted that the allegations in the Order to Show Cause regarding his denial of his prior conviction were accurate. 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 Weindorfer's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

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. The Commissioner has long held that teachers serve as role models for their students. Weindorfer's act of misrepresenting his prior conviction status on his New Jersey application for certification, while falling short of the behavior expected of a role model, does not warrant the revocation of his certificate. Given the totality of his circumstances at the time of his initial crime, his unblemished record in the intervening years and his

disclosure to his employer of his prior conviction, the Board believes a suspension of his certificate is more appropriate in this case.

Accordingly, on May 17, 2012, the Board voted to suspend Peter Weindorfer's Teacher of Elementary School Certificate of Eligibility With Advanced Standing for a period of six months. On this 21st day of June 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that Weindorfer's certificate be hereby suspended for a period of six months effective immediately. It is further ORDERED that Weindorfer 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*.