

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
SAMUEL SKIPPER : ORDER OF REVOCATION
_____ : DOCKET NO: 1011-207

At its meeting of June 16, 2011, the State Board of Examiners (Board) reviewed information regarding Samuel Skipper. In May 2004, the Pennsylvania Professional Standards and Practices Commission revoked Skipper's Pennsylvania certificate after he pled guilty in January 2003 to Homicide By Vehicle. In New Jersey, Skipper currently holds a Teacher of Elementary School certificate, issued in October 1973. Upon review of the above information, at its July 28, 2011 meeting, the Board voted to issue Skipper an Order to Show Cause.

The Board sent Skipper the Order to Show Cause by regular and certified mail on August 2, 2011. The certified mail receipt was signed and returned and the regular mail copy was not returned. The Order provided that Skipper must file an Answer within 30 days. Skipper did not file an Answer. Thereafter, on October 7, 2011, the Board sent Skipper another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was signed and returned. The regular mail copy was not returned. Skipper responded on October 17, 2011. In that Answer he claimed that he pled "no contest" to the charges against him and that there were no drugs or alcohol involved in his accident. (Answer, ¶ 3). He stated that soon after the accident he was diagnosed with Acute Obstructive Sleep Apnea. (Answer, ¶3). He added that he was not sentenced to prison but given nine years' probation. (Answer, ¶3a). Skipper admitted that Pennsylvania had revoked his teaching certificates but stated that he was "physically and mentally unable to challenge the allegations nor did I wish to do so." (Answer, ¶4). Skipper added that he had taken an early retirement in January 2003 and did not care what the Board did with his certificate as he was never going to teach again. (Answer, ¶ 5).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on November 16, 2011, the Board sent Skipper a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Skipper 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 Skipper's conduct warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Skipper 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. Skipper did not file a response.

The threshold issue before the Board in this matter, therefore, is whether Skipper's conviction and the revocation of his Pennsylvania licenses constitute conduct unbecoming a certificate holder. At its meeting of January 19, 2012, the Board considered the allegations in the Order to Show Cause and Skipper's Answer. The Board determined that no material facts related to Skipper's offense were in dispute since he admitted that the allegations in the Order to Show Cause regarding his conviction were accurate. Nor did he deny that his Pennsylvania teaching certificates 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 Skipper'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 certificate 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. Skipper’s act of Homicide By Vehicle is 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 Homicide By Vehicle cannot claim status as a role model to anyone. Skipper’s conviction therefore warrants revocation. *In the Matter of the Certificates of Kevin Jordan*, Dkt. No. A-0155-08T3 (App. Div. October 5, 2009) (Unpublished Opinion).

Accordingly, on January 19, 2012, the Board voted to revoke Samuel Skipper’s Teacher of Elementary School certificate. On this 1st day of March 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Skipper’s certificate be effective immediately. It is further ORDERED that Skipper 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*.