

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
ROBYN Z. KENT : ORDER OF REVOCATION
_____ : DOCKET NO: 1314-122

At its meeting of January 17, 2014, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU) and the Atlantic County Prosecutor's Office (ACPO) regarding Robyn Z. Kent. On July 11, 2013, Kent pled guilty to Possession of Marijuana/Hash Under 50 Grams. According to the charges, Kent used a 17-year-old student to obtain drugs for her. Kent was sentenced to one year of probation and ordered to forfeit her public employment. Pursuant to *N.J.S.A. 2C:51-2d*, she was also forever disqualified from holding any office or position of honor, trust or profit under this State or any of its administrative or political subdivisions. The CHRU notified the Board that, as a result of her conviction, Kent was also disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Kent currently holds a Teacher of English certificate, issued in October 1999.

Kent did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of February 27, 2014 to issue Kent an Order to Show Cause why her certificate should not be revoked.

The Board sent Kent the Order to Show Cause by regular and certified mail on February 28, 2014. The Order provided that Kent must file an Answer within 30 days. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Kent did not file a response. Thereafter, on April 9, 2014, the Board sent Kent another notice by certified and regular

mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Kent did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on May, 7, 2014, the Board sent Kent a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Kent 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 found just cause to take action against her certificate. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her disqualifying offense warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Kent was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified mail nor the regular mail copy was returned. Once again, Kent did not respond.

The threshold issue before the Board in this matter is whether Kent’s conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. Since Kent failed to respond to the Order to Show Cause or the hearing notice, at its meeting of July 24, 2014, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Kent’s offense were in dispute since she never denied that she had been convicted of the offense charged and been subsequently disqualified. 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 Kent's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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. Individuals convicted of a crime such as Possession of Marijuana/Hash fall squarely within in this category. The strong legislative policy statement is also in accord with the Commissioner's long-standing belief that teachers must serve as role models for their students. "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. Moreover, unfitness to hold a position in a school system may be shown by one incident, if sufficiently flagrant. *Redcay v. State Bd. of Educ.*, 130 *N.J.L.* 369, 371 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Kent's conviction for Possession of Marijuana/Hash demonstrates behavior that falls far short of a role model.

The 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 Board 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 certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature and the Commissioner consider Kent's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificate.

Accordingly, on July 24, 2014, the Board voted to revoke Robyn Kent's Teacher of English certificate. On this 19th day of September 2014 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Robyn Kent's certificate be effective immediately. It is further ORDERED that Kent return her 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

RRH/MZ/th

Date of Mailing:

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