

IN THE MATTER OF	:	NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF	:	STATE BOARD OF EXAMINERS
JOHN Q. ANGELINE	:	ORDER OF SUSPENSION
_____	:	DOCKET NO: 1516-223

At its meeting of September 16, 2016, the State Board of Examiners (Board) reviewed information received from the Middlesex County Prosecutor's Office and the Criminal History Review Unit regarding John Q. Angeline. On or about September 1, 2015, Angeline was indicted on charges of 3rd degree Aggravated Criminal Sexual Contact, 4th degree Criminal Sexual Contact, 2nd degree Sexual Assault and 2nd degree Endangering the Welfare of a Child. The indictment alleged that Angeline had engaged in sexual penetration and sexual contact with the victim starting when the victim was 15 years old. If convicted, Angeline would be disqualified from public employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Angeline currently holds a Teacher of English Certificate of Eligibility, issued in August 2001, a Teacher of English certificate, issued in June 2002, a Principal Certificate of Eligibility, issued in November 2007 and a Supervisor certificate, issued in July 2009. Upon review of the above information, at its meeting of November 1, 2016, the Board voted to issue Angeline an Order to Show Cause as to why his certificates should not be suspended pending the resolution of the criminal proceedings against him.

The Board sent Angeline the Order to Show Cause by regular and certified mail on November 3, 2016. The Order provided that Angeline must file an Answer within 30 days. Both the certified and regular mail copies were returned as "Not Deliverable as Addressed." After securing a new address for Angeline, on December 29, 2016, the Board re-sent the Order to Show Cause by regular and certified mail. Angeline filed an Answer on January 31, 2017. In that Answer, Angeline admitted that the Order to Show Cause stated the charges in the

Indictment but denied the truth of the charges and the legal conclusion that he would be disqualified from public employment if convicted. (Answer, ¶ 3). He also denied that there was just cause to consider the suspension of his certificates pending resolution of the criminal proceedings against him. (Answer, ¶ 4). Angeline also stated that the Board should vacate the Order to Show Cause or transfer the matter to the Office of Administrative Law for hearing. (Answer, ¶ 5). In addition to his Answer, Angeline submitted a supplemental letter. In that letter, Angeline stated that the pendency of the criminal charges should not result in the suspension of his certificates because: it would be unfair and premature as the Board could not know the outcome of the criminal litigation; he was suspended from his teaching position as a result of the charges and could not perform any work related to his certificates until the charges were resolved; and there was no practical benefit or public policy consideration that would justify summarily suspending his certificates without a substantive determination on the merits. (Supplemental Letter, pp. 1-2). He also urged the Board to forgo suspending his certificates during the pendency of the criminal charges filed against him or, at the very least, afford him a hearing on the merits before imposing a suspension. (Supplemental Letter, p. 2).

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on February 14, 2017, the Board sent Angeline a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Angeline 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 his certificates. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if his offense warranted action

against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Angeline was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Angeline responded on March 7, 2017, stating that he wished to rely on his Answer and supplemental letter. Angeline waived his right to appear before the Board.

The threshold issue before the Board in this matter, therefore, is whether there is just cause to take action against Angeline's certificates. At its meeting of April 6, 2017, the Board considered the allegations in the Order to Show Cause, Angeline's Answer and his Supplemental Letter. The Board determined that no material facts related to Angeline's offense were in dispute since he admitted that he had been indicted for the offenses charged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.6(h)*.

The Board must now determine whether Angeline's conduct and charges, as set forth in the Order to Show Cause, represent just cause to act against his certificates pursuant to *N.J.A.C. 6A:9B-4.4*. 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:9B-4.4*. 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 dangerous. Individuals convicted of crimes such as Aggravated Criminal Sexual Contact, Criminal Sexual Contact, Sexual Assault and Endangering the Welfare of a Child fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-held belief that teachers must serve as role models for 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 (Sup. Ct. 1943), *aff’d*, 131 *N.J.L.* 326 (E & A 1944). In this case, Angeline has been indicted for an offense involving sexual conduct with a minor. The Board therefore finds that Angeline’s potential disqualification from service in the public schools of this State because of his indictment for various sexual offenses provides just cause to take action against his certificates.

Accordingly, on May 12, 2017, the Board voted to suspend Angeline’s certificates pending resolution of the criminal proceedings against him. On this 15th day of June 2017, the Board formally adopted its written decision to suspend and it is therefore ORDERED that John Q. Angeline’s Teacher of English and Principal Certificates of Eligibility and his Teacher of English and Supervisor certificates be suspended, effective immediately. If the charges are resolved in his favor, he shall notify the Board for appropriate action regarding the suspension order. It is further ORDERED that Angeline return his certificates to the Secretary of the State Board of Examiners, Office of Certification and Induction, 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

RRH/MZ/th

Date of Mailing:
via certified and regular mail

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