

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
RHELDA S. GILCHRIST : ORDER OF SUSPENSION
_____ : DOCKET NO: 1718-195

At its meeting of March 1, 2018, the State Board of Examiners (Board) reviewed information the Passaic County Prosecutor's Office and the Criminal History Review Unit (CHRU) had forwarded regarding Rhelda S. Gilchrist. On November 6, 2017, Gilchrist had received an Order of Postponement and was entered into a Pretrial Intervention program (PTI) for a period of six months following an Accusation of Endangering-Abuse/Neglect of a Child and Simple Assault. Gilchrist was allegedly drunk at the time the incident occurred.

Gilchrist currently holds a Substitute Credential, which expires in July 2020. Upon review of the above information, at its April 13, 2018 meeting, the Board voted to issue Gilchrist an Order to Show Cause as to why her credential should not be suspended.

The Board sent Gilchrist the Order to Show Cause by regular and certified mail on April 18, 2018. The Order provided that Gilchrist had 30 days to respond. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Gilchrist did not respond. On June 1, 2018 the Board sent Gilchrist 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. Gilchrist did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on June 27, 2018, the Board sent Gilchrist a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of her failure to file an Answer. Thus, Gilchrist 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 credential. It also explained that, upon review of the charges against her and the legal arguments tendered

in her defense, the Board would determine if Gilchrist's offense warranted action against her credential. Thereupon, the Board would also determine the appropriate sanction, if any. Gilchrist was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Once again, Gilchrist did not file a response.

The threshold issue before the Board in this matter is whether Gilchrist's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Gilchrist failed to respond to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of November 1, 2018, the Board considered only the allegations in the Order to Show Cause and the information received from the Prosecutor's Office and the CHRU. The Board concluded that no material facts related to Gilchrist's offense were in dispute since she never denied that she had engaged in the alleged conduct. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.6(h)*. After reviewing the allegations, the Board found that Gilchrist had engaged in unbecoming conduct.

The Board must now determine whether Gilchrist's conduct, as set forth in the Order to Show Cause, provides just cause to act against her credential pursuant to *N.J.A.C. 6A:9B-4.4*. 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:9B-4.4*. "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). Gilchrist's entry into PTI after charges of Endangering-Abuse/Neglect of a Child and Simple Assault clearly demonstrates conduct that is unacceptable for a role model. The Board therefore concludes that the

appropriate response to her breach is a suspension of her credential that is coterminous with its expiration date.

Accordingly, on November 1, 2018, the Board voted to suspend Rhelda S. Gilchrist's Substitute Credential, for a period of time coterminous with its expiration date. On this 17th day of December 2018 the Board voted to adopt its formal written decision and it is therefore ORDERED that the suspension of Gilchrist's credential be effective immediately. It is further ORDERED that Gilchrist return her credential to the Secretary of the State Board of Examiners, Office of Certification and Induction, 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:
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*.