

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
GERARD CARROLL, JR. : ORDER OF REVOCATION
_____ : DOCKET NO: 1213-211

At its meeting of July 25, 2013, the State Board of Examiners (Board) reviewed information the Rutgers University Graduate School of Education (Rutgers GSE) had provided regarding Gerard Carroll, Jr. Rutgers GSE reported that Carroll submitted a fake letter, purportedly from an associate professor at the school, in support of his application for certification to the Department of Education (DOE). The associate professor confirmed that she neither wrote nor authorized the letter and that Carroll had forged her signature. Rutgers GSE also advised that Carroll did not finish their program.

Carroll currently holds a Teacher of Physical Education Certificate of Eligibility. After reviewing the above information, at its September 20, 2013 meeting, the Board voted to issue Carroll an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Carroll the Order to Show Cause by regular and certified mail on September 24, 2013. The Order provided that Carroll must file an Answer within 30 days. Carroll responded on October 28, 2013. In his Answer, Carroll stated that he did not receive a reply to his “numerous attempts to meet with authorized personnel and obtain documentation of credibility and completion of professional educational course work.” (Answer, ¶ 2). As a result, Carroll said that he submitted documentation and a drafted letter to his Athletic Advisor who supervised him as a student-athlete in the hopes that his advisor could contact someone at Rutgers GSE to verify and sign the letter. (Answer, ¶ 3). He admitted that he did not complete the five-year teacher certification program there but explained that he had completed student teaching while in an undergraduate teaching program in Pennsylvania before transferring to Rutgers GSE in his junior year. (Answer, ¶ 4). Carroll explained that he was then able to complete another student-teaching field placement while at Rutgers GSE, much earlier than is typical during the graduate program. (Answer, ¶ 4). Carroll argued that his conduct in trying to provide and allow an accurate letter of recommendation to be submitted in support of his application did not provide just cause for the revocation

of his certificate. (Answer, ¶ 5). In the remainder of his Answer, Carroll listed his accomplishments as an educator and his passion for teaching and asked the Board to forgive him for his wrongdoing. (Answer, ¶ 6).

Since there were material facts in dispute, on February 5, 2014, the Board transmitted the matter to the Office of Administrative Law (OAL) for hearing as a contested case. After many adjournments at the parties' requests, Administrative Law Judge (ALJ) Leslie Z. Celentano heard the matter on June 14 and June 26, 2017. The record closed on March 20, 2019 and ALJ Celentano issued an Initial Decision on March 22, 2019. *In the Matter of the Certificate(s) of Gerard Carroll, Jr.*, Dkt. No. EDE 01897-14 (Initial Decision, March 22, 2019).

The Board's witnesses testified that there was no record that Carroll ever applied for or was admitted to Rutgers GSE. (Initial Decision, slip op. at 6). Carroll's transcript did reflect that he had graduated as a history major from Rutgers and had taken some courses which were prerequisites for admission to the Rutgers GSE, although he did not have the nine-credit course for the student teaching internship. *Ibid.* Additionally, the witnesses indicated that the letter Carroll had submitted to the DOE was inaccurate because it stated that he had completed all necessary education requirements and had entered the five-year teaching program at Rutgers GSE, neither of which he had done. *Id.* at 7.

In his testimony, Carroll indicated that he neither prepared nor sent the letter to the DOE but stated the letter did contain information he had discussed with his academic advisor. *Id.* at 12. He added that he had no idea who prepared the letter or mailed it to the DOE. *Ibid.* Carroll also testified that he never applied to the five-year Rutgers GSE program although he admitted that he stated the opposite in his Answer to the Order to Show Cause. *Ibid.*, footnote 2.

After reviewing the testimony and the record, ALJ Celentano found that the Board's witnesses were credible and adopted the entirety of their testimony. *Id.* at 13. She also concluded that "it is inherently unbelievable that anyone other than respondent wrote the letter at issue." *Ibid.* She therefore held that Carroll "knowingly submitted a fraudulent letter for the purpose of securing a CEAS as a teacher of physical education." *Ibid.*

In assessing the appropriate penalty, ALJ Celentano emphasized that Carroll had not offered “any plausible defense or explanation of how the fraudulent letter came into being or was received by the Department.” *Id.* at 16. She therefore concluded “that the charge that respondent submitted a fraudulent letter of recommendation in support of his application for certification must be sustained.” *Ibid.* As a result, the ALJ noted that Carroll’s actions tended to “destroy public respect for the delivery of government services and constitute conduct unbecoming. A certification fraudulently obtained harms the integrity of the certification system.” *Id.* at 17. Judge Celentano therefore ordered that Carroll’s certificates should be revoked. *Ibid.*

On May 31, 2019, after an extension, Carroll submitted exceptions. Carroll argued that the initial decision incorrectly assumes that he submitted the fraudulent letter at issue in this matter. He alleged that absent evidence that Carroll proffered the letter at issue, there is no evidence of wrongdoing.

In its reply exceptions, the Board argued that Judge Celentano made a credibility determination, finding that Carroll was not credible and that he offered no other plausible explanation as to how the fraudulent letter was sent.

The Board must now determine whether to adopt, modify or reject the Initial Decision in this matter. At its meeting of June 28, 2019, the Board reviewed the Initial Decision. After full and fair consideration of the Initial Decision the Board voted to adopt it in its entirety.

“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. There is no doubt that the ALJ is in the best position to render credibility determinations in this matter. Accordingly, the Board will defer to those findings. As noted above, after assessing the evidence and credibility of the witnesses, ALJ Celentano concluded that Carroll submitted a fraudulent letter of recommendation to the DOE in support of his certification application. His conduct indicates a serious lapse in judgment and convinced the ALJ that revocation was warranted here. After reviewing the entire record, the Board agrees with the ALJ’s assessment regarding both the nature of Carroll’s conduct and the penalty to be assessed.

Accordingly, on June 28, 2019, the Board voted to adopt the Initial Decision and ordered the revocation of Carroll's certificate. On this 1st day of August 2019, the Board formally adopted its written decision to adopt the Initial Decision and it is therefore ORDERED that Gerard Carroll, Jr.'s Teacher of Physical Education Certificate of Eligibility is hereby revoked, effective immediately. It is further ordered that Carroll return his certificate 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.

Rani Singh, Acting 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.