

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
DONNA HAUN : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-212

At its meeting of April 13, 2018, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Florida Education Practices Commission (Florida) had forwarded regarding Donna Haun. On February 2, 2018, Florida and Haun entered into a settlement agreement whereby Haun's certificate was suspended for 18 months after it was alleged that she was under the influence of alcohol while on duty and in the presence of students. Haun did not admit or deny the allegations but elected not to contest them.

In New Jersey, Haun currently holds Teacher of Nursery School and Teacher of Elementary School in Grades K-8 certificates. Upon review of the above information, at its May 24, 2018 meeting, the Board voted to issue Haun an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Haun the Order to Show Cause by regular and certified mail on May 29, 2018. The Order provided that Haun had 30 days to respond. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. On June 25, 2018, her mother responded that Haun was incapacitated and "unable to write a letter of defense at this time." On August 10, 2018, the Board replied by certified and regular mail that the letter was not sufficient proof of incapacitation and provided Haun with several options by way of response. Haun was informed that her response was due by September 10, 2018, otherwise the allegations in the Order to Show Cause would be deemed admitted. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Haun did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on September 14, 2018, the Board sent Haun 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, Haun 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 certificates. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if Haun's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Haun 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. Once again, Haun did not file a response.

The threshold issue before the Board in this matter is whether Haun's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Haun 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 January 24, 2019, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC and Florida. The Board concluded that no material facts related to Haun's offense were in dispute since she never denied that she had engaged in the conduct alleged. 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 Haun had engaged in unbecoming conduct.

The Board must now determine whether Haun's conduct, as set forth in the Order to Show Cause, provides just cause to act against her certificates 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). Haun's

actions in being intoxicated while on duty and in the presence of students is clearly conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to her breach is the revocation of her certificates.

Accordingly, on January 24, 2019, the Board voted to revoke Donna Haun's Teacher of Nursery School and Teacher of Elementary School in Grades K-8 certificates. On this 8th day of March 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Haun's certificates be effective immediately. It is further ORDERED that Haun return her certificates 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.