

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
RAYNA E. CULVER : ORDER OF SUSPENSION
_____ : DOCKET NO: 1617-285

At its meeting of November 1, 2018, the State Board of Examiners (Board) reviewed information received from the Burlington County Prosecutor’s Office and Office of Student Protection (OSP), formerly the Criminal History Review Unit (CHRU), regarding Rayna E. Culver. On or about July 19, 2018, Culver was indicted on two counts of Aggravated Sexual Assault (1st degree), four counts of Sexual Assault (2nd degree) and two counts of Endangering the Welfare of a Child (2nd degree). Culver allegedly engaged in sexual intercourse and sexual acts with a minor for whom she had caretaking responsibility. If convicted, Culver would be disqualified from public employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.*

Culver currently holds a Teacher of Elementary School in Grades K-8 Certificate of Eligibility With Advanced Standing, a Principal Certificate of Eligibility, Teacher of Elementary School in Grades K-8, and Supervisor certificates. Upon review of the above information, at its meeting of December 17, 2018, the Board voted to issue Culver an Order to Show Cause as to why her certificates should not be suspended pending the resolution of the criminal proceedings against her.

The Board sent Culver the Order to Show Cause by regular and certified mail on December 20, 2018. The Order provided that Culver must file an Answer within 30 days. Culver filed an Answer on January 22, 2019. In that Answer, Culver stated that her certificates should not be suspended “because there has not been a final adjudication of the criminal proceedings against me.” (Answer, p. 1). She also directed the Board to send all further inquiries to her counsel. (Answer, p. 1).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on April 23, 2019, the Board sent Culver and her identified attorney a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, she 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 client's certificates. It also explained that upon review of the charges against her client and the legal arguments tendered in her defense, the Board would determine if Culver's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Culver was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. No response was filed on Culver's behalf, nor was a response received directly from Culver who was also sent the aforementioned notice.

The threshold issue before the Board in this matter, therefore, is whether there is just cause to take action against Culver's certificates. At its meeting of September 19, 2019, the Board considered the allegations in the Order to Show Cause and Culver's Answer. The Board determined that no material facts related to Culver's offense were in dispute since she did not deny that she had been charged with the offenses alleged. 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 Culver's conduct and charges, as set forth in the Order to Show Cause, represent just cause to act against her 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 Sexual Assault, 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, Culver has been charged with Aggravated Sexual Assault, Sexual Assault, and Endangering the Welfare of a Child. The Board therefore finds that Culver's potential disqualification from service in the public schools of this State because of her indictment for such serious offenses provides just cause to take action against her certificates.

Accordingly, on September 19, 2019, the Board voted to suspend Culver's certificates pending resolution of the criminal proceedings against her. On this 1st day of November 2019, the Board formally adopted its written decision to suspend and it is therefore ORDERED that Rayna E. Culver's Teacher of Elementary School in Grades K-8 Certificate of Eligibility With Advanced Standing, Principal Certificate of Eligibility, Teacher of Elementary School in Grades K-8, and Supervisor certificates are hereby suspended, effective immediately. If the charges are resolved in her favor, she shall notify the Board for appropriate action regarding the suspension order. It is further ORDERED that Culver return her 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.

Rani Singh, 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.