

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
LYNDERIA MANSFIELD : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-171

At its meeting of January 19, 2018, the State Board of Examiners (Board) reviewed a tenure decision regarding Lynderia Mansfield, a tenured teacher in the State-Operated School District of the City of Newark (Newark). Newark certified tenure charges against Mansfield for unbecoming conduct, corporal punishment, insubordination, and other just cause. Pursuant to *N.J.S.A.* 18A:6-16, the Arbitrator assigned by the Department of Education to hear the case, referred the tenure matter captioned *In the Matter of the Tenure Hearing of Lynderia Mansfield*, Dkt. No. 64-2/16 (Arbitrator’s Decision, September 26, 2016) to the Board.

In his Decision (which is incorporated herein by reference), the Arbitrator noted that Newark presented credible eyewitness testimony which recounted behavior which could only be described as “abusive.” The Arbitrator found the testimony of the students and their parents to be believable and compelling. Having reviewed the entire record, the Arbitrator determined that the district proved beyond doubt by a preponderance of the evidence presented that Mansfield engaged in conduct unbecoming a teacher and established that there was just cause for termination. The Arbitrator also concluded that the charges Newark brought were appropriate and that a less severe penalty than termination was not warranted “under all the attendant circumstances found here.” The Arbitrator further found that Mansfield’s failure to appear for two interviews the district conducted when investigating the incidents constituted insubordination and had been proven by the district. Lastly, the Arbitrator also observed that Mansfield never provided adequate defenses to “either circumvent or contradict the District’s rationale for discipline, the charges, or the penalty of dismissal. Additionally, there was no showing of remorse.” The Arbitrator therefore sustained most of the tenure charges against Mansfield. Mansfield was dismissed from her tenured employment with Newark as a result of the charges proven in the tenure proceeding.

Mansfield currently holds a Teacher of Pre-K Through Grade 3 Certificate of Eligibility, a Teacher of Pre-K Through Grade 3 certificate, and a Supervisor certificate. After reviewing the above information, at its March 1,

2018 meeting, the Board voted to issue an Order to Show Cause to Mansfield as to why her certificate should not be revoked. The Order was predicated on the charges that were proven in the tenure hearing.

The Board sent Mansfield the Order to Show Cause by regular and certified mail on March 14, 2018. The Order provided that Mansfield's Answer was due within 30 days. Mansfield filed her Answer on May 15, 2018.

In that Answer, Mansfield admitted that Newark brought tenure charges against her but denied the district's allegations that she physically abused her students. (Answer, ¶¶ 1, 2, 4). She stated that the State of New Jersey Department of Children and Families Institutional Abuse Investigative Unit spoke to 21 students and determined that no students were harmed or sustained any injuries, nor was there proof that students urinated on themselves as a consequence of being denied the opportunity to use the bathroom. (Answer, ¶ 4). Mansfield added that she was not uncivilized towards her children. (Answer, ¶ 5). She therefore contended that just cause did not exist to revoke her certificate. (Answer, ¶ 9).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on January 7, 2019, the Board sent Mansfield a hearing notice by regular and certified mail. The notice explained that there appeared to be no material facts in dispute. Thus, Mansfield was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause provided just cause to take action against her certificates as well as arguments with regard to the appropriate sanction in the event that the Board determined to take action against her 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 Mansfield's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Mansfield was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Mansfield filed a written response on March 13, 2019. Mansfield also asked to appear before the Board.

In her Hearing Response, Mansfield argued that as a single mother the impact of tenure loss resulted in loss of her home and vehicle. She asks the question – “how much punishment is enough?” (Hearing Response, pp. 1-2). Mansfield emphasized that since she lost her tenure she has been employed as a substitute or as a long term substitute without incident. She presents several letters of character reference and evaluations to demonstrate effective and proficient teaching. (Hearing Response, p. 3). She argued that there is a dichotomy between the

findings made by the Institutional Abuse Investigation Unit (IAIU) and the Arbitrator's findings regarding her conduct. She alleges that IAIUI's report did not find that children were harmed or placed at risk of harm. The only "unified" charge is that Mansfield yelled and grabbed the front of student shirt collars. (Hearing Response, p. 4-5). She further argued that there was no finding that students urinated in her classroom. (Hearing Response, p. 10). Finally, Mansfield argued that she redeemed herself the past three years by substituting without incident. The maintenance of her license will permit her to continue to work as a substitute. (Hearing Response, p. 12).

In testimony before the Board, Mansfield was present with her counsel, Eugene Liss, Esquire. Mr. Liss presented on behalf of Mansfield. He argued that the Order to Show Cause has some "flower" in it and does not depict what actually happened here. He stated that there is no evidence that any child urinated in class and that all of her observations were good. He indicated that the school year in which these incidents took place was a bad year. Mansfield has lost her tenure, her job, her house, her car and is in debt to the pension fund and in danger of losing her pension. He further indicates that Mansfield has redeemed herself in her church. She cleans toilets and delivers food. He asks the question – how much punishment is enough? The only finding is that Mansfield yelled and touched students' collars. He believes that the Arbitrator discounted testimony. Finally, Mansfield asks the Board to look at the all of the years of good service. She has learned her lesson.

The threshold issue before the Board in this matter, therefore, is whether Mansfield's conduct constitutes conduct unbecoming of a certificate holder. At its meeting of September 19, 2019, the Board considered the allegations in the Order to Show Cause as well as Mansfield's Answer, Hearing Response and testimony. The Board determined that it was constrained by collateral estoppel to accept the facts as found in the tenure hearing and therefore no material facts related to Mansfield's offense were in dispute. *See In the Matter of the Certificates of Richard Barnes-Bey*, Dkt. No. 1314-194 (Bd. Of Examiners September 17, 2015) (Collateral estoppel applies to facts established in a prior tenure hearing for Board revocation proceedings). 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 Mansfield's conduct, as set forth in the Order to Show Cause and proven in the tenure hearing, represents just cause to act against her certificates pursuant to *N.J.A.C. 6A:9B-4.5*. 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. In this case, the record established that Mansfield's behavior in the classroom was "abusive" in that she yelled at students and grabbed students by their collars/shirts. Mansfield's arguments regarding having enduring enough "punishment" are of little relevance to the Board as it has no tolerance for a teacher grabbing and yelling students in the manner found by the Arbitrator. Accordingly, the appropriate response in this matter is revocation.

Accordingly, on September 19, 2019, the Board voted to revoke Lynderia Mansfield's Teacher of Pre-K Through Grade 3 Certificate of Eligibility, a Teacher of Pre-K Through Grade 3 certificate, and Supervisor certificate effective immediately. On this 1st day of November 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that Mansfield's certificate is hereby revoked, effective immediately. It is further ORDERED that Mansfield return her 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, Secretary
State Board of Examiners

Date of Mailing:
Via certified and regular mail

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