

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
RAYMOND SAIGH : ORDER OF REVOCATION
DOCKET NO: 333-02/96-123

At its meeting of February 29, 1996, the State Board of Examiners reviewed information forwarded to the Board by the California State Department of Education indicating that Raymond Saigh's teaching credential in that state had been revoked based on his guilty plea to a charge of second degree burglary, involving auto theft. Respondent received a three-year suspended sentence, and was also required to pay a fine and to spend 120 days in jail. At that meeting, the State Board of Examiners voted that said conviction constituted sufficient grounds for issuing Respondent an Order to Show Cause why his New Jersey Teacher of Elementary School teaching license should not be revoked or suspended.

Respondent was served with said Order to Show Cause by regular and certified mail on or about March 26, 1996. An Amended Order to Show Cause was forwarded to Respondent on April 8, 1996 as the first order specified erroneously that the conviction information had been provided by the Division of Criminal Justice. The Amended Order To Show Cause, certified mail and regular mail copies, were returned marked "Attempted—Not known". Thereafter, because the Board was unable to contact Mr. Saigh, on May 3, 1996 assistance was sought from the California Department of Motor Vehicles to determine Respondent's current address. A current address was provided and the amended Order to Show Cause was forwarded to Mr. Saigh on June 10, 1996. Respondent forwarded an Answer to the Order to Show Cause dated June 15, 1996. On August 15, 1996 Secretary of the State Board of Examiners Ida Graham requested that he submit a conforming Answer to the Order to Show Cause by answering each paragraph of the Order specifically, as

provided for in regulation. No response was received from Respondent. On July 21, 1997 Secretary Ida Graham again asked Respondent to submit a conforming answer to the Order to Show Cause. The letter was returned indicating that the correspondence was undeliverable as addressed.

On August 11, 1997 assistance was again sought from the California Department of Motor Vehicles in determining a current address for Respondent. On August 28, 1997, the California Department of Motor Vehicles indicated that their files were confidential and that they were unable to release a resident's address. Although aware that the State Board of Examiners had initiated charges against him that could have serious consequences for his ability to seek employment as a substitute teacher, he failed to advise the Board of his current address. He has therefore, waived his right to participate in the hearing process. Thus, the State Board of Examiners will consider Respondent's Answer to the Order to Show Cause as his sole submission to counter the charges brought against him.

Respondent's response to the Order to Show Cause submits that he had had too much to drink on September 17, 1993, when he saw a car that had been broken into near his apartment. He opened the door as he passed by looked inside to see what was up. He states he took nothing, and three days later was arrested. He admits he pled guilty to a reduced sentence because otherwise he would have been jailed for a year for a first offense. He states the State Board of Examiners has every right to revoke his license, and claims he is a good teacher.

School law cases have traditionally recognized the right of the State Board of Examiners to revoke licenses where the teacher was involved in criminal activities, even if said activities were not related to the classroom, see Cox v. State Board of Examiners (App. Div. Docket No. A-3527-81T3) (November 18, 1993); State Board of Examiners v. Krupp, 3 N.J.A.R. 285 (1981). In this case, Respondent has been found guilty of a crime of dishonesty, auto theft. The Commissioner has

determined in the past that such guilty pleas involving dishonesty do constitute conduct unbecoming a teaching staff member sufficient to warrant dismissal. See, e.g., In the Matter of the Tenure Hearing of Emil J. Guasconi, School of the Town of West New York Hudson County, 1977 S.L.D 513. It is the conclusion of the State Board of Examiners that the crime to which Respondent herein pled guilty reflect discredit upon his professional stature and that such offense represents misbehavior and conduct unbecoming a license holder. The Board further determined that the appropriate penalty for his unbecoming conduct is the revocation of Respondent's licensure as a Teacher of Elementary School due to the level and nature of his crime.

It is, therefore, ORDERED that Raymond Saigh's New Jersey license as an Elementary School Teacher is hereby revoked on this 20th day of November, 1997, due to the level and nature of the crime.

It is further ORDERED that Raymond Saigh return his license to the Secretary of the State Board of Examiners, Office of Licensing, P.O. Box 500, Trenton, NJ 08625-0500 within fourteen (14) days of receipt of this letter.

Secretary
New Jersey State Board of Examiners

Date of Mailing: February 9, 1998

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

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