

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
PAUL KAISER : ORDER OF REVOCATION
DOCKET NO. 424-12/96-85

Pursuant to its authority under N.J.A.C. 6:11-3.6, at its meeting of December 12, 1996, the State Board of Examiners reviewed a Commissioner of Education's Decision captioned, In the Matter of the Tenure Hearing of Paul Kaiser, Board of Education of the Union County Regional High School District No. 1, Union County, Agency Dkt. No. 463-11/94. On January 17, 1995, Union County Regional High School District No. 1 certified tenure charges against Mr. Kaiser for incapacity, incompetency, unbecoming conduct and other just cause including alcohol consumption, drug usage and excessive absenteeism. Respondent failed to respond to the Commissioner's directives to file an Answer to the tenure charges against him, and thus, each count of the charges against him was deemed admitted in the Commissioner's decision of January 17, 1995. Accordingly, the Commissioner found that the tenure charges were proven and ordered respondent removed from his tenured position. the matter was then forwarded to the State Board of Examiners pursuant to NJAC 6:11-3.6(a).

Upon consideration of the Commissioner of Education's determination to dismiss Mr. Kaiser from his tenured employment based upon the charges proven against him, at said meeting the State Board of Examiners voted to issue an Order to Show Cause to Paul Kaiser due to the level and nature of the charges proven against him.

The Order to Show Cause was mailed to Mr. Kaiser by regular and certified mail on January 21, 1997. Both copies were returned indicating that Mr. Kaiser's forwarding order had expired. New Jersey Motor Vehicle services was also unable to provide a current address for

Mr. Kaiser. At its meeting of May 15, 1997, the State Board of Examiners voted unanimously to publish notification of the Order to Show Cause in a newspaper. Said notice was published in the Home News and Tribune on May 25, 1997 and June 1, 1997. Said Order provided that if Paul Kaiser desired to file an Answer to said Order, such answer must be filed within twenty (20) days. Twenty (20) days elapsed without an answer having been filed by or on behalf of Paul Kaiser.

It is therefore ORDERED that said charges are deemed admitted for the purpose of this proceeding. The use of drugs and the possession of drugs are inconsistent with the State's policy to eliminate drug abuse in the schools, In the Matter of the Tenure Hearing of David Earl Humphreys, 1978 S.L.D. 689. Misuse of dangerous drugs by students themselves, or by the role models to whom students look for guidance, will not be tolerated under any circumstances. In the Matter of the Certificate of Barbara Corwick, OAL Docket No. EDE 3562-87, State Board of Examiners decision (March 24, 1988).

In Mr. Kaiser's case, his illegal use of drugs, and his excessive consumption of alcohol eventually led to his inability to perform the duties of a teaching staff member, despite help offered by the school district for which he was employed, in the form of enrolling him in detoxification programs, drug treatment programs and after-care substance abuse programs . The State Board of Examiners concurs with the Commissioner's findings in this matter. All of the district's efforts over the course of more than two years failed to restore Paul Kaiser to a condition whereby he could perform his job function. Thus, in light of this State's strong policy opposing the use of illegal drugs, and for the reasons expressed in the Commissioner's decision of January 17, 1995, the State Board of Examiners finds respondent's behavior conduct unbecoming a license holder. The State Board further finds that the appropriate penalty for his unbecoming conduct is the revocation of respondent's Teacher of English license.

It is, therefore, ORDERED that, the State Board of Examiners having reviewed the charges and having found that said charges warrant revocation of Paul Kaiser's Teacher of English license, said license is hereby revoked on this 25th day of September, 1997.

It is further ORDERED that Paul Kaiser 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
State Board of Examiners

Date of Mailing:

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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