

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
MAUREEN UDOKWU : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0405-248

At its meeting of May 5, 2005, the State Board of Examiners reviewed information received from the Office of Criminal History Review indicating that respondent Maureen Udokwu was convicted on March 24, 2005 of assaulting police and resisting arrest. As a result of such conviction, Udokwu was disqualified from public service pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Udokwu did not challenge the accuracy of her criminal history record before the Commissioner of Education. Udokwu currently holds a Teacher of Elementary School Certificate of Eligibility With Advanced Standing, issued in September 2002. Upon review of the above information, at its meeting of May 5, 2005, the State Board of Examiners voted to issue Udokwu an Order to Show Cause.

The Board sent Udokwu the Order to Show Cause by regular and certified mail on May 24, 2005. Both copies were returned as undeliverable and the Motor Vehicles Commission could not provide a current address for her. Accordingly, the Board published the Order to Show Cause in two New Jersey newspapers on August 14 and 17, 2005. Udokwu did not respond to the published notice.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Udokwu's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. Since Udokwu did not respond to the Order to Show Cause, the State Board of Examiners had no responsive pleading to consider in the hearing process. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding. *N.J.A.C. 6A:9-17.7(c)*. Since Udokwu's conviction and disqualification, as set

forth in the Order to Show Cause, are admitted, the Board of Examiners must now decide whether they represent just cause to act against her certificates pursuant to *N.J.A.C. 6A:9-17.7(c)*. The Board finds that they do.

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 a danger to them. Individuals convicted of a crime of violence fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing condemnation of acts of violence by teaching-staff members. "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.

In this case, Udokwu has a conviction for resisting arrest and assaulting a police officer. A teacher's behavior outside the classroom may be relevant in determining that person's qualifications and continued fitness to retain her certificate. *In re Grossman*, 127 *N.J. Super.* 13, 30 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E&A 1944). 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). Accordingly, the State Board of Examiners finds that Udokwu's disqualification from service in the public schools of this State because of her conviction for resisting arrest and assaulting a police officer provides just cause to take action against her certificate.

That strong policy statement on the part of the Legislature set forth in *N.J.S.A. 18A:6-7.1(b)* also offers guidance to the State Board of Examiners as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public

schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold herself out as a teacher. Thus, because the Legislature considers Udokwu's offenses so significant, the State Board of Examiners believes that the only appropriate sanction in this case is the revocation of her teaching certificate.

Accordingly, it is therefore ORDERED that Maureen Udokwu's Teacher of Elementary School Certificate of Eligibility With Advanced Standing be revoked on this 8th day of December 2005. It is further ORDERED that Udokwu return her certificate to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

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Robert R. Higgins, Acting Secretary  
State Board of Examiners

Date of Mailing: DECEMBER 20, 2005

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