

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
ISAAC GREEN : ORDER OF REVOCATION
_____ : DOCKET NO: 0405-159

At its meeting of September 22, 2005, the State Board of Examiners reviewed information the Office of Criminal History Review had forwarded indicating that Isaac Green was convicted in February 2005 on charges of manufacturing/distributing a CDS and possession of a CDS on school property. As a result of the conviction, Green was disqualified from public service pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Green did not appeal the disqualification before the Commissioner of Education. Green currently holds a Teacher of Elementary School in Grades K-5 Certificate of Eligibility, issued in August 2004. Upon review of the above information, at its September 22, 2005 meeting, the State Board of Examiners voted to issue Green an Order to Show Cause.

The Board sent Green the Order to Show Cause by regular and certified mail on November 18, 2005. The certified mail receipt was signed and returned. The regular mail copy was not returned. The Order provided that Green must file an Answer within 30 days. Green did not respond to the Order. Thereafter, the Board sent Green a second notice by regular and certified mail providing him an additional 15 days in which to file an Answer. The certified mail receipt was signed and returned. The regular mail copy was not returned. Once again, Green did not file an Answer.

The threshold issue before the State Board of Examiners in this matter, is whether Green's disqualifying offense constitutes conduct unbecoming a certificate holder. Since Green failed to respond to the Order to Show Cause, the State Board of Examiners had only the allegations in the Order to consider during the hearing process.

At its meeting of May 4, 2006, the State Board of Examiners reviewed the charges in the Order to Show Cause. After review of the Order, the Board of Examiners determined that no

material facts related to Green's offense were in dispute since he never denied that he had committed the offense or had been disqualified because of it. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The State Board of Examiners must now determine whether Green's disqualification, which was predicated on the same offense as was set forth in the Order to Show Cause, represents just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

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. In 1989, the Legislature specifically amended the statute to include all convictions concerning controlled dangerous substances as disqualifying offenses. *See N.J.S.A. 18A:6-7.1(b)*. This amendment was a clear recognition on the part of the Legislature that individuals with such drug convictions should not be permitted to be in contact with school-aged children. The consistent and long-standing policy of this State is to eliminate the use of illegal drugs. *See In the Matter of the Tenure Hearing of David Earl Humphreys, 1978 S.L.D. 689*. To that end, the State and its schools have engaged in extensive educational efforts to warn the citizenry of the perils of illicit drugs. *See In the Matter of the Certificate of Barbara Corwick, OAL Dkt. No. EDE 3562-87, State Board of Examiners decision (March 24, 1988)*. Those who violate this deep-rooted policy, *whether by the use of drugs or their manufacture and distribution*, endanger the public welfare; they cannot be entrusted with the responsibility of caring for school-aged pupils. Accordingly, the State Board of Examiners finds that Green's disqualification from service in the public schools of this State because of his conviction for manufacturing/distributing a CDS and possession of a CDS provides just cause to take action against his 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 license that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Because the Legislature considers Green's offense so significant, the State Board of Examiners in this matter believes that the appropriate sanction for his disqualification is the revocation of his certificate to teach. *See In the Matter of the Revocation of the Teaching Certificate of Patricia Rector*, Agency Dkt. No. 19-02 (St. Bd. of Education, August 7, 2002) (affirming the decision of the State Board of Examiners to revoke Rector's teaching certificate on the basis of the disqualification pursuant to *N.J.S.A. 18A:6-7.1.*)

Accordingly, pursuant to the Board of Examiners' vote it is therefore ORDERED that Isaac Green's Teacher of Elementary School in Grades K-5 Certificate of Eligibility be revoked effective this 8th day of June 2006. It is further ORDERED that Green return his certificate to the Secretary of the State Board of Examiners, Office of Licensure and Credentials, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

Robert R. Higgins, Acting Secretary
State Board of Examiners

Date of Mailing: JUNE 12, 2006

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