

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
SHARON TROUTMAN : ORDER OF REVOCATION
_____ : DOCKET NO: 0809-158

At its meeting of November 20, 2008, the State Board of Examiners reviewed information received from the Department of Children and Families (DCF) regarding Sharon Troutman. The DCF had investigated allegations and substantiated a finding of physical abuse/substantial risk of physical injury/environment injurious to health and welfare against Troutman. Troutman was a teacher at the Due Season Charter School and was teaching when a student became disruptive in class. While engaging in a verbal altercation with the student, Troutman placed her glasses on a file cabinet. When the student threw Troutman's glasses on the floor, Troutman grabbed the student by the neck and choked him for approximately ten seconds, causing his face to turn red. Troutman currently holds a Teacher of Elementary School Certificate of Eligibility, issued in March 2000. Upon review of the above information, at its February 23, 2009, meeting, the State Board of Examiners voted to issue Troutman an Order to Show Cause.

The Board sent Troutman the Order to Show Cause by regular and certified mail on February 25, 2009. The certified mail copy was not returned. The regular mail copy was also not returned. The Order provided that Troutman must file an Answer within 30 days. Troutman did not file a response. Thereafter, on May 12, 2009, the Board sent Troutman another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as unclaimed. The regular mail copy was not returned. Troutman did not respond to the second notice either.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on June 15, 2009, the Board sent Troutman a hearing notice by regular and certified mail. The notice explained that it appeared

that no material facts were in dispute. Thus, Troutman was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder. It also explained that upon review of the charges against her and the legal arguments tendered in her defense, the State Board of Examiners would determine if her conduct warranted action against her certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Once again, neither copy was returned nor did Troutman file a response.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Troutman's conduct as set forth in the Order to Show Cause constitutes conduct unbecoming a certificate holder. Since Troutman failed to respond to the Order to Show Cause or the hearing notice, at its meeting of October 22, 2009, the State Board of Examiners considered only the allegations in the Order to Show Cause. The Board of Examiners determined that no material facts related to Troutman's offense were in dispute since she never denied that she had engaged in the alleged conduct. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. 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 Troutman's conduct, as set forth in the Order to Show Cause, represents just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

The State Board of Examiners 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:9-17.5*. "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. Moreover, the Commissioner has long held that teachers serve as role models for their students. Troutman's conduct in choking a student because of disruptive behavior and a verbal altercation is inexcusable. After committing such a reprehensible act, Troutman cannot lay claim as a role model to anyone.

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). In this instance, Troutman's volatility does not belong in any classroom and her egregious behavior warrants revocation.

Accordingly, on October 22, 2009, the Board of Examiners voted to revoke Sharon Troutman's Teacher of Elementary School Certificate of Eligibility. On this 2nd day of December 2009 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Troutman's certificate be effective immediately. It is further ORDERED that Troutman return her certificate to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing:

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

RRH:MZ: