

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
JUANITA WORTHY : ORDER OF REVOCATION
_____ : DOCKET NO: 0809-247

At its meeting of July 28, 2009, the State Board of Examiners reviewed information from the Camden County Prosecutor's Office indicating that Juanita Worthy pled guilty in December 2008 to Criminal Attempt/Theft By Deception. In February 2009, Worthy was sentenced to five years' probation, 300 hours of community service and ordered to forfeit her public employment. Worthy currently holds a Teacher of Elementary School certificate, issued in July 1972 and a Principal certificate, issued in March 1985. Upon review of the above information, at its September 17, 2009, meeting, the State Board of Examiners voted to issue Worthy an Order to Show Cause.

The Board sent Worthy the Order to Show Cause by regular and certified mail on September 24, 2009. The Order provided that Worthy must file an Answer within 30 days. Worthy filed an Answer on October 23, 2009. In that Answer, Worthy admitted that she pled guilty to Criminal Attempt/Theft, but averred that it was never her intention to defraud the school system. (Answer, ¶ 4.) Worthy explained that she submitted a request for payment for teachers who had worked on a committee and that the Prosecutor's Office determined that the hours were not worked and were not approved by the School Board. (Answer, ¶ 4.) Worthy said she had an exemplary thirty-five year career in Camden and never received an unsatisfactory evaluation. (Answer, ¶ 1.) She added that she had followed district policy and that she never had the opportunity to defend her actions. (Answer, ¶ 2.) Worthy stated that she had extensive educational expertise and training and would be volunteering to help children and non-English

speakers become literate. (Answer, ¶ 5.) Worthy claimed that her conviction displayed the disloyalty of her superiors and did nothing to stop the criminal behavior of others in the Camden School District. (Answer, ¶ 6.) Finally, after noting that she had been subject to public humiliation and embarrassment, Worthy asked for clemency with regard to the revocation of her certificates: ‘I cherish my certificates because they represent a symbol of internal pride and joy for all the dedication and commitment I accomplished in helping others.’ (Answer, ¶ 6.)

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on November 10, 2009, a hearing notice was mailed by regular and certified mail to Worthy. The notice explained that it appeared that no material facts were in dispute. Thus, Worthy 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 offense warranted action against her certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Worthy was also provided the opportunity to appear before the Board to testify on the sanction issue.

Worthy responded on December 8, 2009. In her response, Worthy reiterated that she had been a loyal educator for over thirty-five years. (Hearing Response, p. 1.) She claimed that she was the scapegoat for a mismanaged school district and that she had only continued to follow past practices and was punished for it. (Hearing Response, p. 1.) She stated that she would never seek public employment again and only wished to spend her remaining years “volunteering my professional expertise.” (Hearing Response, p. 1.) Worthy added that she ran a successful school in Camden and that the teachers who worked in her building never took time away from the students to complete mandatory paperwork. (Hearing Response, p.2.)

Worthy also stated that she had no regrets because she “was responsible for providing a safe, loving and caring environment where children developed to their full potential.” (Hearing Response, p. 2.) She was satisfied that she had made a positive difference in the lives of her students, teachers and parents. (Hearing Response, p. 2.) Worthy also submitted a number of documents supporting her response including a timeline of events leading up to her retirement, a newspaper article praising her school and her resume.

In her testimony before the Board, Worthy reiterated that she had had a long, heretofore unblemished career. She stated that she was an effective principal that was accused of doing things that were everyday practices in the district. Worthy noted that her school had made tremendous progress and that she considered all the children in the school “her children.” She claimed that no money was ever taken and all she did was ask that teachers be paid for work they had done on their own time. Worthy stated that she submitted a payroll that should not have been submitted because it was out of the wrong budget. Finally, she added that she valued her certificates and noted that people still sought her advice on educational matters.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether the conduct underlying Worthy’s conviction and resultant forfeiture of public office constitute conduct unbecoming a certificate holder. At its meeting of March 25, 2010, the State Board of Examiners reviewed the allegations in the Order to Show Cause, Worthy’s responses and her testimony. The Board of Examiners determined that no material facts related to Worthy’s offense were in dispute since she never denied that she had pled guilty to the offenses charged and had been sentenced accordingly. 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 the conduct underlying Worthy's conviction and resulting forfeiture of public office, as set forth in the Order to Show Cause, represent just cause to act against her certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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, 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Worthy has a conviction for Criminal Attempt/Theft By Deception. A conviction for a crime involving dishonesty, such as Worthy's, provides just cause for the Board to take action against her certificates. Moreover, the Board agrees with the court's reasonable conclusion that although Worthy had a long, unblemished career before this incident, her actions make her unsuitable to retain public office. The Commissioner has long held that teachers serve as role models for their students. Clearly, the conduct underlying Worthy's conviction demonstrates behavior that prevents her from claiming status as a role model and her certificates should be revoked.

Accordingly, on March 25, 2010, the Board of Examiners voted to revoke Juanita Worthy's Teacher of Elementary School and Principal certificates. On this 29th day of April 2010 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Worthy's certificates be effective immediately. It is further ORDERED that Worthy return her certificates 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

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