

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
LIA TREMBATH : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1112-196

At its meeting of April 5, 2012, the State Board of Examiners (Board) reviewed information the River Vale School District (RVSD) had forwarded pursuant to N.J.A.C. 6A:9-17.4 regarding Lia Trembath. RVSD reported that Trembath had resigned from her tenured position as a school nurse following allegations that she had failed to maintain properly student health records. Specifically, RVSD alleged, among other things, that many student health records were incomplete; that student records were not kept in individual folders; that there was no medical documentation entered for any student in the district's student management system; that documents that should have been filed in student health files as far back as 2000 were not filed; that additional documents were shoved into nooks and crannies; that there were many inhalers and other medications found throughout the health office that had expired, some many years ago; that there were medications found belonging to students who no longer attended the school; that medication orders for the current year were not on file; that current diabetic student health plans were not centrally located; and that the health office was excessively stocked with office supplies while being scarcely supplied with medical supplies. Trembath currently holds a School Nurse certificate, issued in June 2000. Upon review of the above information, at its May 17, 2012 meeting, the Board voted to issue Trembath an Order to Show Cause.

The Board sent Trembath the Order to Show Cause by regular and certified mail on May 24, 2012. The Order provided that Trembath had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Trembath did not respond. Thereafter, on June 27, 2012, the Board sent Trembath another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular copy was not returned. Trembath did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on July 24, 2012, the Board sent Trembath a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Trembath 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 as well as arguments with regard to the appropriate sanction in the event that the Board determined to take action against her certificate. It also explained that upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if Trembath's offenses warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Trembath was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Trembath did not respond.

The threshold issue before the Board in this matter is whether Trembath's conduct constitutes conduct unbecoming a certificate holder. Since Trembath failed to respond to the Order to Show Cause or the hearing notice, at its meeting of November 30, 2012, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Trembath's offense were in dispute since she never denied that she had engaged in the alleged behavior. Thus, the Board 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 Board must now determine whether Trembath's conduct, as set forth in the Order to Show Cause, provides just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

The Board 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. In this matter, Trembath’s sloppy record keeping and negligent office upkeep demonstrated more than her lack of organizational skills. It proved that, in her position as a school nurse, she was a danger to students since the proper maintenance of medication and health records is an essential component of a school nurse’s duties. In that regard, she completely failed in her role as a caretaker for students’ health and well-being. Her ineptitude is so severe that the Board believes that the only appropriate sanction in this case is the revocation of Trembath’s certificate.

Accordingly, on November 30, 2012, the Board voted to revoke Trembath’s School Nurse certificate. On this 25th day of January 2013 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Lia Trembath’s certificate be effective immediately. It is further ORDERED that Trembath 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.

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Robert R. Higgins, Secretary  
State Board of Examiners

Date of Mailing:

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

RRH:MZ:th