

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
PAIGE M. DONALDSON : ORDER OF REVOCATION  
(ZAPPILE)  
\_\_\_\_\_ : DOCKET NO: 1314-169

At its meeting of December 6, 2013, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU) and the Cape May Prosecutor's Office (CMPO) regarding Paige M. Donaldson (Zappile). The CHRU and the CMPO notified the Board that on January 25, 2013, Donaldson pled guilty to Endangering the Welfare of a Child for driving under the influence with two young children in her car. Donaldson was sentenced to 180 days in county jail, three years' probation and had her driver's license suspended for ten years. As a result of the conviction, Donaldson was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Donaldson currently holds a Teacher of Elementary School in Grades K-5 Certificate of Eligibility With Advanced Standing, issued in October 2004 and a Teacher of Elementary School in Grades K-5 certificate, issued in August 2005.

Donaldson did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of January 17, 2014 to issue Donaldson an Order to Show Cause why her certificates should not be revoked.

The Board sent Donaldson the Order to Show Cause by regular and certified mail on January 24, 2014. The Order provided that Donaldson must file an Answer within 30 days. The certified mail copy was returned as "Vacant-Unable to Forward" and the regular mail copy was not returned. Donaldson did not file a response. After securing a new address for Donaldson,

the Board re-sent the Order by regular and certified mail on February 24, 2014. Donaldson responded on March 22, 2014.

In that Answer, Donaldson admitted to all of the allegations in the Order to Show Cause. (Answer, p. 1). She added that she did not “feel that revoking or suspending my teaching certification is necessary.” (Answer, p. 1). Donaldson recounted how she loved being a teacher and hoped that “the events in my personal life do not have to ruin my career.” (Answer, p. 1). She added that she was in recovery in AA and although she was currently staying home with her children, she hoped to return to teaching in the future. (Answer, p. 1). Donaldson expressed remorse for her crime and stated that that incident was her singular relapse and that she had been sober since that day. (Answer, p. 1). She added that she had served her jail sentence, successfully completed a Department of Family and Children’s Services investigation with no problem, and turned in her license voluntarily to DMV before it was revoked. (Answer, p. 1). She added that she was successfully working with her probation officer and was about to complete her first year of probation with no infractions. (Answer, p. 1). Donaldson added that she wished to put the past behind her and that it did not define who she was today. (Answer, p. 1). Finally, Donaldson noted that she had worked very hard “to become the teacher I could be.” (Answer, p. 2). She stated that she continued to study the latest theories and techniques and asked the Board not to take away her ability to help others. (Answer, p. 2).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on April 3, 2014, the Board sent Donaldson a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Donaldson 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 found just cause to take action against her certificates. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if his disqualifying offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Donaldson was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Donaldson did not respond to the Hearing Notice.

The threshold issue before the Board in this matter is whether Donaldson’s conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. At its meeting of July 15, 2014, the Board considered the allegations in the Order to Show Cause as well as Donaldson’s Answer. The Board determined that no material facts related to Donaldson’s offense were in dispute since she admitted that she had been convicted of the offense charged and been subsequently disqualified. 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 Donaldson’s conviction and resulting disqualification, 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.

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. Individuals convicted of a crime such as Endangering the Welfare of a Child fall squarely within in this category. The strong legislative policy statement is also in accord with

the Commissioner's long-standing belief that teachers must serve as role models for their students. "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 matter, Donaldson's conviction for Endangering the Welfare of a Child resulted in a jail sentence, a probationary term and a lengthy suspension of her driver's license. Although Donaldson may have many accomplishments as an educator, the fact remains that she has a serious conviction resulting from her driving under the influence with two young children in her car. Clearly that demonstrates behavior that falls far short of a role model.

The 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 Board 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 himself out as a teacher. Thus, because the Legislature and the Commissioner consider Donaldson's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificates.

Furthermore, notwithstanding Donaldson's contentions of rehabilitation, this is not the proper context for such considerations. The purpose of this proceeding is "to permit the individual certificate holder to demonstrate circumstances or facts to counter the charges set

forth in the Order to Show Cause, not to afford an opportunity to show rehabilitation.” See *In the Matter of the Revocation of the Teaching Certificate of Gloria Jackson by the State Board of Examiners*, 96 N.J.A.R. 2D (EDE) 1, 16 *aff’d*, App. Div. Dkt. No. A-1246-96T5 (September 9, 1997) citing *In the Matter of the Revocation of the Teaching Certificate of James Noll*, State Bd. of Examiners decision (February 7, 1990). Thus, the fact that Donaldson has completed her jail sentence and is a dedicated follower of AA, while a step in the right direction, has no bearing on the decision the Board of Examiners must make with regard to her certification.

Accordingly, on July 15, 2014, the Board voted to revoke Paige M. Donaldson’s Teacher of Elementary School in Grades K-5 Certificate of Eligibility With Advanced Standing, and her Teacher of Elementary School in Grades K-5 certificate. On this 24th day of July 2014 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Paige Donaldson’s certificates be effective immediately. It is further ORDERED that Donaldson 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.

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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.