

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
RACHEL M. MORRISON : ORDER OF REVOCATION
_____ : DOCKET NO: 1314-203

At its meeting of December 12, 2014, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU) and the Monmouth County Prosecutor's Office (MCPO) regarding Rachel M. Morrison. On June 5, 2014, Morrison pled guilty to Endangering the Welfare of a Child-Duty. Morrison was sentenced to three years in prison, parole supervision for life, Megan's Law registration and fined. The CHRU notified the Board that, as a result of her conviction, Morrison was also disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Morrison currently holds a Substitute Credential, which expires in January 2016.

Morrison 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 23, 2015 to issue Morrison an Order to Show Cause why her credential should not be revoked.

The Board sent Morrison the Order to Show Cause by regular and certified mail on February 2, 2015. The Order provided that Morrison must file an Answer within 30 days. The certified mail receipt was signed and returned and the regular mail copy was not returned. Morrison did not file a response. Thereafter, on March 10, 2015, the Board sent Morrison 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 mail copy was not returned. Morrison did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on March 27, 2015, the Board sent Morrison a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Morrison 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 credential. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her disqualifying offense warranted action against her credential. Thereupon, the Board would also determine the appropriate sanction, if any. Morrison 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 returned. Once again, Morrison did not respond.

The threshold issue before the Board in this matter is whether Morrison's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. Since Morrison failed to respond to the Order to Show Cause or the hearing notice, at its meeting of May 21, 2015, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Morrison's offense were in dispute since she never denied 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:9B-4.7(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 Morrison's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her credential pursuant to *N.J.A.C.* 6A:9B-4.5. 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 crimes such as Endangering the Welfare of a Child fall squarely within 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 instance, Morrison's conviction for Endangering the Welfare of a Child-Duty 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 Morrison's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her credential.

Accordingly, on May 21, 2015, the Board voted to revoke Rachel M. Morrison's Substitute Credential. On this 26th day of June 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Morrison's credential be effective immediately. It is further ORDERED that Morrison return her credential 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

RRH/MZ/th

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.