

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ALLISON C. ANDERSON : ORDER OF SUSPENSION
_____ : DOCKET NO: 1516-166

At its meeting of January 21, 2016, the State Board of Examiners (Board) reviewed information received from the Morris County Prosecutor's Office regarding Allison C. Anderson. On November 4, 2015, Anderson was accepted into a Pretrial Intervention program (PTI) for 18 months after being charged with Aggravated Assault on Law Enforcement, Aggravated Assault on Medical Personnel, Resisting Arrest, Lewdness and Disorderly Conduct. According to the Criminal Complaint and Accusation, Anderson was running through a hotel and parking lot naked while intoxicated. She also attempted to bite, kick and punch the EMTs attempting to give her first aid and the police officers who tried to arrest her. Anderson currently holds a Teacher of Social Studies Certificate of Eligibility, issued in August 1993, a Teacher of Social Studies Certificate of Eligibility With Advanced Standing, issued in March 1995 and a Teacher of Social Studies certificate, issued in August 1996. Upon review of the above information, the Board voted at its meeting of March 3, 2016 to issue Anderson an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Anderson the Order to Show Cause by regular and certified mail on March 8, 2016. The Order provided that Anderson must file an Answer within 30 days. Anderson filed an Answer on March 21, 2016.

In her Answer, Anderson admitted being accepted into PTI for the charges listed in the Order to Show Cause. (Answer, ¶ 3). She noted that she was in compliance with all PTI requirements: monitoring by a probation officer, drug testing and community service. (Answer, ¶ 3). Anderson acknowledged that the nature of her charges seemed extreme but were mitigated by the fact that she was intoxicated at the time. (Answer, ¶ 4). She explained that the officers were trying to help her by strapping her to a gurney and she became frightened and fought to get away. (Answer, ¶ 4). She added that she was an alcoholic and that her condition was protected by the Americans with Disabilities Act (ADA). (Answer, ¶ 4).

Anderson noted that she was sober, actively participated in AA, had daily meetings with a sponsor and had clean alcohol and drug screens. (Answer, ¶ 4). She added that due to the circumstances of her arrest, her protected status under the ADA and her compliance with a strict PTI program her certificates should not be revoked. (Answer, ¶ 5).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on May 18, 2016, the Board sent Anderson a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Anderson 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. Anderson 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. Anderson did not file a response.

The threshold issue before the Board in this matter is whether Anderson’s conduct constitutes conduct unbecoming a certificate holder. At its meeting of September 16, 2016, the Board considered the allegations in the Order to Show Cause as well as Anderson’s Answer. The Board determined that no material facts related to Anderson’s offense were in dispute since she admitted that she had engaged in the conduct alleged in the Order to Show Cause. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.6(h)*.

The Board must now determine whether Anderson’s conduct, as set forth in the Order to Show Cause, represents just cause to act against her certificates pursuant to *N.J.A.C. 6A:9B-4.4*. 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:9B-4.4*. “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, Anderson's actions in running through a hotel and parking lot naked while intoxicated and later assaulting police officers and EMTS who were trying to assist her is conduct that indicate a serious lapse in judgment. Nonetheless, it is clear that Anderson actions were a result of her intoxication and her admitted alcoholism. Moreover, she has taken steps to ameliorate her condition and is now sober. In light of this mitigating evidence, the Board therefore concludes that the appropriate response to Anderson's breach is an immediate suspension of her certificates, which shall conclude on June 30, 2018.

Accordingly, on September 16, 2016, the Board voted to suspend Allison Anderson's Teacher of Social Studies Certificate of Eligibility, her Teacher of Social Studies Certificate of Eligibility With Advanced Standing and her Teacher of Social Studies certificate, until June 30, 2018. On this 1st day of November 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the suspension of Allison Anderson's certificates be effective immediately. It is further ORDERED that Anderson return her certificates to the Secretary of the State Board of Examiners, Office of Certification and Induction, 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*.