

EDE # 3111-03
SBE #0405-186
SB # 13-05

IN THE MATTER OF THE SUSPENSION :
OF THE CERTIFICATES OF COREY : STATE BOARD OF EDUCATION
YOUNGER BY THE STATE BOARD OF : DECISION
EXAMINERS. :

Decision by the State Board of Examiners issued on March 7, 2005

Decision on motion by the State Board of Education, May 4, 2005

Decision on motion by the State Board of Examiners, May 12, 2005

Decision on motions by the State Board of Education, August 3, 2005

For the Petitioner-Respondent, Marta Kozlowska, Deputy Attorney
General (Peter C. Harvey, Attorney General of New Jersey)

For the Respondent-Appellant, Ashton Thomas, Esq.

In a decision rendered on January 20, 2005 and mailed on March 7, 2005, the State Board of Examiners suspended the certificates of the appellant, Corey Younger, for two years for conduct unbecoming a teacher. N.J.A.C. 6A:9-17.5. The Board of Examiners concluded that the appellant had “exercised poor judgment in allowing female students to remain in his hotel room for a substantial period of time, regardless of what behavior occurred” during the Penn Relays in 1998 while he was an assistant track coach. Board of Examiners’ Decision, slip op. at 4. Under the circumstances, the Board of Examiners concluded that a two-year suspension of the appellant’s certificates was the appropriate penalty.

The appellant filed the instant appeal to the State Board of Education. On May 4, 2005, we denied the appellant's motion seeking to conduct additional discovery and to supplement the record on appeal, concluding that the information sought to be discovered was not material to the issue before the Board of Examiners, i.e., whether the appellant had engaged in unbecoming conduct warranting revocation or suspension of his teaching certificates, and that the appellant had not demonstrated that additional discovery was warranted.

On May 12, 2005, the Board of Examiners denied the appellant's application for a stay, concluding that he had failed to satisfy the standard for such relief set forth in Crowe v. De Gioia, 90 N.J. 126 (1982). The Board of Examiners found that the appellant had failed to demonstrate that the legal rights underlying his claim were settled and that he had a likelihood of prevailing on appeal.

On May 23, 2005, the appellant filed motions with the State Board of Education seeking a stay of the Board of Examiners' decision and reconsideration of our decision of May 4. On August 3, 2005, we denied the appellant's motions. In so doing, we concluded that the appellant had provided no basis for altering our decision of May 4, 2005, and, like the Board of Examiners, we concluded that the appellant had failed to satisfy the standards for a stay set forth in Crowe, supra. In particular, we found that the appellant had not demonstrated a likelihood of prevailing on the merits of this matter.

After a thorough review of the record, we affirm the State Board of Examiners' decision to suspend the appellant's certificates for two years for the reasons expressed therein. Since the record in this matter contains documents which disclose the name of a witness who was a minor at the time of the incident at issue as well as a report and

other documents resulting from an investigation of child abuse/neglect conducted by the Division of Youth and Family Services, we have sealed the record. N.J.S.A. 9:6-8.10a.

January 4, 2006

Date of mailing _____