

**State Board of Examiners
Minutes of the Meeting
held in the First Floor Conference Room
200 Riverview Plaza, Trenton, NJ**

June 14, 2001

Present: Acting Assistant Commissioner Jay Doolan, Acting Chairperson
Mr. John F. Knapp, Acting Secretary
Michael Walters, Deputy Attorney General
Dr. Vito Germinario, Chairperson, Legal Committee
Dr. Mary Jean Guidette, Chairperson, Credentials Review Committee
Dr. Ronald Applbaum
Ms. Ida Bilbow
Mr. Richard Dorow
Dr. Donald Farish
Ms. Joanne Gales
Mr. James Gay
Dr. Michael Knowlton
Ms. Mary Jane McNally
Dr. Robert Petix
Mr. Peter Tirri

Absent: Ms. Gloria Tunstall

Acting Assistant Commissioner Jay Doolan, Acting Chairperson, called the meeting to order.

The minutes of the May 10, 2001 meeting were approved and adopted. Dr. Ronald Applbaum, Ms. Ida Bilbow and Mr. Peter Tirri abstained from the vote.

Individual Credentials Review - Presentation

The following individuals attended the meeting, made brief presentations and answered questions from the Board regarding their experiences:

| | |
|---------------------------|---------------------------------|
| Jeffrey Hunt | Substance Awareness Coordinator |
| Wendi J. O'Donnell | School Social Worker |

Diana Beasley, who is applying for Supervisor certification, did not attend the meeting.

Credentials Review Committee Report

The Credentials Review Committee reviewed all credentials review cases and presented its recommendations to the Board. The Board took the following actions:

| | |
|-------------------------|---|
| Susan Buchen | Speech-language Specialist – Granted |
| Denise Gastineau | Teacher of Spanish – Denied |
| Mary Lynn Reid | School Administrator Certificate of Eligibility – Denied. |

Ms. Reid was awarded partial credit for graduate study in human resource management, quantitative decision-making and communications.

| | |
|---------------------|--|
| Gary Shannon | Teacher of Health and Physical Education Certificate of Eligibility - Denied |
|---------------------|--|

Legal Committee Report

The Legal Committee reviewed all legal cases and presented its recommendations to the Board. The Board took the following actions:

Order to Show Cause

Catherine Cooper – Proven tenure charges of unbecoming conduct involving improper actions towards handicapped students in her self-contained classroom of emotional disturbed Middle School students.

Ryan Ing – proven tenure charges involving an inappropriate relationship with a thirteen (13) year old female student.

Ortwin Janicki – County Substitute Certificate - – Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for possession of marijuana.

Frank Lieto – Pled guilty to 1st degree aggravated sexual assault, three (3) counts of 2nd degree sexual assault, two (2) counts of 4th degree criminal sexual contact and one (1) count of endangering the welfare of a child in the 2nd degree.

Jeffrey Moses – Pled guilty to one (1) count of endangering the welfare of a child in the 3rd degree.

Revocation

Julius Anderson – County Substitute Certificate - Permanent disqualification from public school employment by the Office of Criminal History Review due to a drug conviction.

Shelton Austin - Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for possession of marijuana/hash.

Brian Eilert – Proven tenure charges that he had encouraged children in his class to kick another student and that he watched them do so.

John Godinsky – Certificate of Eligibility - Permanent disqualification from public school employment by the Office of Criminal History Review due to a drug conviction.

Kevin Litts – Pled guilty in May 2000 to endangering the welfare of a child.

Gabriel Nyenator - County Substitute Certificate - Permanent disqualification from public school employment by the Office of Criminal History Review due to a drug conviction.

Suspension

Randall Dunham – Proven tenure charges of unbecoming conduct involving leaving vulgar and obscene messages on two students' answering machines. The Board further directed the Board Secretary to urge the Division of Pensions to take no action against Mr. Dunham's pension benefits. The suspension is effective between July 1, 2001 and July 1, 2006.

In the matter of **Dr. Joyce Beam**, the Board unanimously voted to:

1. Deny the appeal for supervisor certification because Dr. Beam did not submit evidence of additional graduate coursework in staff supervision or curriculum development that would either invalidate the evaluation completed by the Office of Licensing or meet the graduate study requirements as outlined in N.J.A.C. 6:11-9.6.

The Board further voted to advise Dr. Beam that she may wish to re-apply to the Board for consideration of supervisor certification under provisions of N.J.A.C. 6:11-3.24, which would provide Dr. Beam an opportunity to apply for a credentials review before the Board;

2. Deny the appeal of the evaluation completed by the Office of Licensing and Credentials for a principal Certificate of Eligibility. Based on a review of the documentation submitted, the Board found that Dr. Beam's previous administrative experience in Maryland was district-wide and not comparable to the requirements of N.J.A.C. 6:11-9.3 or 9.5(f), which require service as an administrative officer of a school or other comparable unit within a school or district. Further, the Board noted that Dr. Beam's graduate degrees were in special education and not in a recognized field of leadership or management; and
3. Deny the appeal of the evaluation completed by the Office of Licensing and Credentials for a school administrator Certificate of Eligibility. Based on a review of the documentation submitted, the Board noted that Dr. Beam was ineligible for school administrator certification under provisions of N.J.A.C. 6:11-9.4(i). Dr. Beam's Maryland school administrator certificate was issued in January 2001 and thus her years of out-of-state district-wide administrative experience was not completed under a Maryland school administrator certificate but rather under Maryland Special Education Principal and Special Education Supervisor certificates.

In the matter of **Nicholas Brown**, the Board voted to table the matter for six months and advise Mr. Brown that he may wish to seek an expungement of his 1997 criminal mischief conviction and re-apply for an employment approval letter from the Office of Criminal History Review.

In the matter of **Larry Melvin**, the Board voted to table the matter of his certification until it receives information regarding the outcome of the Pre-Trial Intervention (PTI) program in which Mr. Melvin is enrolled. The Board Secretary will advise Mr. Melvin the he must advise the Board of the status of the drug charges against him. Additionally, if he successfully completes PTI, he must send a copy of the court order dismissing the charges against him. If Mr. Melvin does not submit the information regarding the court order dismissal, the Board may consider taking action against Mr. Melvin's County Substitute certificate based solely on the information now in its possession.

In the matter of **M.S.**, after considering the Appellate Division decision, as well as the briefs submitted on behalf of the Bergen Record, M.S. and DYFS, the Board unanimously voted to release a redacted version of Administrative Law Judge (ALJ) Irene Jones' decision. The Board further determined that the redacted version of the ALJ's decision should strike an appropriate balance between the important public interests at stake. The reasoning in support of the State Board of Examiners' determination will be set forth in detail in a written decision.

In the matter of **Yvonne Saltzman**, the Board unanimously voted to table the matter pending further research concerning the reciprocity agreement with Arizona.

The Board voted to take no action to suspend, revoke or block certificates of the following individuals:

Hafeezah J. Abdullah
Kevin Franko
William Hanson

Heather K. Lloyd
Alexander Radzikowski
Steve Yacco

Dr. Mary Jean Guidette made a motion for the Board to go into executive session at 11:38 a.m. to discuss a legal matter. Mr. James Gay seconded the motion. The Board moved out of executive session at 11:50 a.m.

Deputy Attorney General, Michael Walters advised the Board that the position reflected in the Board's letter to the legislators concerning N.J.S.A. 18:A:6-7.3 and Assembly Bill No. 2437 was not the position of the Governor and therefore the letter would not be forwarded to Legislators for review. Ms. Joanne Gales noted that the manner in which a Board member votes in cases where a candidate presents a conviction for an offense that occurred 25 years ago could be an indicator of the Board's sentiment that candidates not be denied certification for dated offenses.

Dr. Guidette asked that the past practice of forwarding Board minutes to County Superintendents be resumed. Acting Board Secretary John Knapp indicated that the protocol would be continued. Dr. Guidette also led a discussion concerning whom the appropriate investigative arm should be when Board members receive oral information concerning conduct that may rise to the level for the Board to consider revocation or suspension of certification if alleged facts were found to be proven. Mr. Peter Tirri indicated that school administrators should address those issues through tenure proceedings. Deputy Attorney General, Michael Walters and Secretary John Knapp further advised that the department's Office of Compliance or the Division of Youth and Family Services could complete some investigations.

Mr. Tirri also suggested that, in view of the fact that the Board has been asked to hear appeals from candidates found ineligible for certification after contracts have been signed with school districts, it would be prudent for the department to forward a reminder to Chief School Administrators that candidates must hold New Jersey certification, or be eligible for certification, prior to the signing of contracts. Acting Assistant Commissioner Doolan asked Acting Board Secretary John Knapp to discuss the issue with his senior staff and to forward recommendations to his office.

Mr. Tirri also indicated that letters had been prepared to Chief School Administrators for those Board members who are teachers suggesting that their Board activities be counted toward professional development credit.

Dr. Michael Knowlton asked to what degree does the department communicate to college deans and directors information concerning both the 2.75 Grade Point Average (GPA) requirement for teachers and a list of disqualifying criminal offenses as outlined in N.J.S.A. 18:A: 6-7.3 that permanently precludes a candidate from public school employment.

Acting Assistant Commissioner Doolan asked Acting Secretary Knapp to facilitate such correspondence.

Deputy Attorney General, Michael Walters indicated that all Board members should keep the legal cases of M.S. and Dr. Joyce Beam.

The next meeting of the board is scheduled to be held on **Thursday, September 20, 2001** in the first floor conference room, 100 Riverview Plaza, Trenton, New Jersey.