

**State Board of Examiners
Minutes of the Meeting held at
100 Riverview Plaza, First Floor Conference Room
Trenton, NJ (Amended 1/25/13)**

November 14, 2002

Present: Assistant Commissioner Richard Ten Eyck, Chairperson
Ms. Joan Brady, Secretary
Michael Walters, Deputy Attorney General
Ms. Ida Bilbow, Acting Chairperson, Legal Committee
Ms. Joanne Gales, Chairperson, Credentials Review Committee
Mr. Richard Dorow
Dr. Donald Farish
Mr. James Gay
Mr. William King
Dr. Michael Knowlton
Ms. Mary Jane McNally
Dr. Stuart Schnur

Absent: Dr. Robert Petix
Dr. Rodney Smith
Mr. Peter Tirri
Ms. Gloria Tunstall

The meeting was called to order by Assistant Commissioner Richard Ten Eyck, Chairperson, who announced that the meeting complied with the Open Public Meetings Act.

The minutes of the September 26, 2002 meeting were approved and adopted.

Mr. William King, County Superintendent for Warren County, was sworn in as a member of the State Board of Examiners. Deputy Attorney General Michael Walters administered the oath of office.

Amended narratives in the legal matters of Gregory Smith and Leonard Tobias were distributed. Catherine Cooper, Kenneth R. Pitter, Sr., Robert Vitacco, Viva L. White and Danita Wilson were removed from the legal agenda.

Individual Credentials Review - Presentation

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

Annette R. Adamek	School Nurse
Evelyn M. Falkowski	Speech-language Specialist
Carla K. Fisher	Preschool through Grade 3 Certificate of Eligibility with Advanced Standing
Barbara J. Janukowicz	Speech-language Specialist
Maria G. Simonelli	Teacher of Latin Certificate of Eligibility

Ms. Falkowski was accompanied by Cecil Weber, Director of Special Programs, who spoke on her behalf. Ms. Janukowicz was accompanied by Kristine Deni, Assistant Superintendent, who spoke on her behalf.

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:

Adele Berenz	School Psychologist - Granted
Kathleen Berlin	School Nurse - Granted
Christine Cerrotta	Speech-language Specialist - Granted
Susan Elmer	Speech-language Specialist - Granted
Tracy Jamison	Student Personnel Services – Denied. Partial credit was awarded for study in sociological foundations including community agencies.
Karheem Mattioli	Bilingual/Bicultural Education - Granted
Greta Williams	Standard Elementary School Teacher and standard Supervisor certificates - Granted

The Board voted to enter Executive Session at 11:38 A.M. to discuss a legal matter. It returned to public session at 11:46 A.M.

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:

Daniel Aranoff – Level and nature of conduct. An Office of Compliance investigation concluded that Mr. Aranoff violated State law and regulations in administering the accounts of the Kinnelon Public Schools and in his reporting to the school district.

Muhammad I. Bey – County Substitute Certificate – Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for a 4th degree felony.

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

Robin Crudup – County Substitute Certificate – Permanent disqualification from public school employment.

Pamela Diehl-Moore – Pled guilty to 2nd degree sexual assault for having a sexual relationship with a thirteen year old student.

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

Susan Kandell – Level and nature of conduct. Allegations of misconduct with regard to administration of the Provisional Teacher Program.

Barbara Lucia - Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for conspiracy to commit mail fraud.

Ray A. Magee – County Substitute Certificate - Permanent disqualification from public school employment by the Office of Criminal History Review due to drug convictions in February 1991, December 1991 and August 1995.

Daniel Moore – Proven tenure charges of excessive absenteeism, excessive tardiness, unbecoming conduct and insubordination.

Mark Persiani – County Substitute Certificate - Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for possession of drug paraphernalia.

Lisa Plaia – Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for failure to give a controlled dangerous substance to police.

James K. Rowland – Level and nature of conduct. Mr. Rowland resigned from his position when confronted with the results of an investigation concluding that he sexually harassed a student.

Wayne Slaughter – Proven tenure charges of unbecoming conduct involving making sexually inappropriate remarks to student's which constituted sexual harassment.

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

Michael T. Tehan – Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for resisting an officer.

Leonard Tobias – A Division of Youth and Family Services investigation substantiated allegations of improper sexual contact with a student.

Brian Walensky – County Substitute Certificate - Permanent disqualification from public school employment by the Office of Criminal History Review due to a conviction for distribution of marijuana and hashish..

Paul Varano – Proven tenure charges of other just cause involving unsatisfactory evaluations and ineffectiveness as a teacher..

Revocation:

John Gomez – Criminal conviction for criminal sexual contact. No material facts were disputed; the level and nature of the conduct and conviction is unbecoming a teacher and the appropriate response is revocation.

Appeal:

In the matter of **Cindy Livengood**, the Board voted to grant the petition to change the Ms. Livengood’s “insufficient” performance rating to an “approved” performance rating based on a review of the documentation provided.

The Board also voted to forward a letter to the Superintendent of Schools for the State-Operated School District of the City of Newark regarding the Boards concerns regarding improper administration of the Provisional Teacher Program in the school district. There have been more than several appeals with allegations of improper administration of the program.

In the matter of **Thomas Wilkins**, pursuant to N.J.A.C. 6:11-5.5(e), Mr. Wilkins has provided sufficient evidence for the Board to grant his petition for one more additional year to complete the Provisional Teacher Program/Alternate Route. The program must be completed in a school district other than the Downe Township Public Schools.

Vacate Order to Show Cause:

In the matter of **Christopher Ciuppi**, the Board voted to vacate the Order to Show Cause issued April 5, 2001 as Mr. Ciuppi’s conviction has been expunged.

In the matter of **Ortwin Janicki**, the Board voted to vacate the Order to Show Cause issued June 14, 2001 as Mr. Janicki is now deceased.

Deny application for certification:

In the matter of **Travis Hanks**, the Board voted to block his application for a County Substitute certificate as he has been permanently disqualified from public school employment by the Office of Criminal History Review due to his 1994 child abuse conviction.

In the matter of **Llewellyn E. Hill**, the Board voted to block his application for a County Substitute certificate as he has been permanently disqualified from public school employment by the Office of Criminal History Review due to his conviction for felony possession of a weapon.

In the matter of **Robert E. Rothschild**, the Board voted to block his application for a County Substitute Certificate based on the level and nature of his crime. Mr. Rothschild has a simple assault conviction.

In the matter of **Lazaro D. Tabachnik**, the Board voted to block his application for vocational certification as he has a June 1999 drug conviction.

Other legal actions:

In the matter of **David Hommel**, the Board voted to deny Mr. Hommel's request for certification following revocation based on significant discrepancies set forth in the DYFS report, Mr. Hommel's personal narrative and the psychological report received from Mr. Hommel's therapist.

In the matter of **William Tierney**, the Board voted to grant Mr. Tierney's request to reconsider his petition for certification following revocation; vacated the September 26, 2002 vote to deny Mr. Tierney's request for certification following revocation and took no action to block Mr. Tierney's request for certification following revocation based on evidence of rehabilitation. Mr. Tierney must meet current certification requirements.

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

Donald C. Anderson	Nigel O. Meyler
Thomas G. Davis	Jason Russo
Michael Fama	Terry Williams
William M. Lees	Cordell P. Wise

The Board voted to accept the proposed settlement in In the Matter of the Certificates of Roseanne Bostonian, in which Ms. Bostonian agreed to surrender her teaching certificates.

The Board voted to enter Executive Session at 12:10 A.M. to discuss a legal matter. It returned to public session at 12:20 P.M. and continued the Legal Committee Report.

The Board voted to enter Executive Session at 12:31 P.M. to discuss a legal matter. It returned to public session at 12:41 P.M. and continued the Legal Committee Report. The Board voted to draft a letter to the Superintendent of the Newark School District advising her that the

Board was concerned with the district's administration of the Alternate Route/Provisional Teacher Program.

DAG Michael Walters advised the Board that the State Board of Education had affirmed the Board's decisions in In the Matter of the Certificate of Lucy Lester and In the Matter of the Certificate of Patricia Rector.

Secretary Joan Brady welcomed new member William King to the Board. She thanked Ida Bilbow for serving as the Interim Chair of the Legal Committee and requested that a Board member volunteer to serve as the Chair. Ms. Brady announced that Dr. Donald Farish agreed to serve on the Legal Committee and Gloria Tunstall would serve on the Credentials Committee.

Ms. Brady informed the Board that Board member Peter Terri was recovering from knee surgery as the result of an accident.

In her secretary's report, Ms. Brady announced that on November 6, 2002, the State Board of Education had adopted changes to the grade point requirement for certification. As a result, a candidate who completes his or her undergraduate education prior to September 1, 2004 may qualify for certification with a 2.5 GPA. In addition, the amendment to the regulations gives reciprocity to out-of-state teachers who lack the required GPA but have three years of successful teaching under a valid out-of-state certificate. Ms. Brady also advised the Board that the Office of Licensure and Credentials is moving forward with its plan to improve its technology. A Request for Proposal for the new system has been issued and many potential bidders have shown interest. A teleconference on the RFP is scheduled for November 21, 2002.

DAG Walters provided copies of the Rehabilitated Convicted Offenders Act, *N.J.S.A. 2A:168A-1 et seq.*, for the members of the Board to review.

The next meeting of the board is scheduled to be held on Thursday, December 12, 2002 in the first floor conference room, 100 Riverview Plaza, Trenton, New Jersey.