

March 16, 1998

Dear :

Pursuant to the State Board of Education's recent remand of the case entitled *In the Matter of the Disqualification from School Employment of L.A.W.*, Agency Docket No. DHP 37-97, State Board Docket No. 75-97, you were, by letter dated January 21, 1998, accorded an opportunity to supplement the record of this matter, with respect to the underlying crime involved, sufficient to allow a determination, in light of such supplementation, as to your client's disqualification from school employment. Specifically, you were requested to submit any and all police records, court records, photos, and other relevant materials which would allow a satisfactory reconciliation between the explanation of this matter offered by your client and the statement provided by the District Attorney. Additionally, you were requested to submit your client's signed certification which fully addresses the facts underlying her conviction and how such facts led to her conviction for Endangering the Welfare of Children.

I have reviewed the documents which you forwarded to supplement the record in this matter which include an explanatory letter from your law partner, Rosanne S. DeTorres, Esq.; an affidavit of probable cause from the District Attorney of Mifflin County, Pennsylvania; Incident report of the Mifflin County, Pennsylvania, Regional Police Department dated April 2, 1993; and the affidavit of Lisa Ann Weber, dated February 25, 1998. After a comprehensive examination of all of this material, I am still unable to reconcile L.W.'s explanation of events which transpired with the statement of the District Attorney and her ultimate conviction for Endangering the Welfare of Children.

Accordingly, I must renew the conclusion reached in my August 8, 1997 letter, finding that L.A.W. has failed to demonstrate her rehabilitation by clear and convincing evidence as required by *N.J.S.A. 18A:6-7.1*, and, therefore, her disqualification from school employment is affirmed. An appeal of this decision may be made to the State Board of Education pursuant to *N.J.A.C. 6:2-1.1*.

Sincerely,

David C. Hespe
Assistant Commissioner

c: Carl Carabelli