

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
GLEN ALBRIGHT : ORDER OF REVOCATION
_____ : DOCKET NO: 0304-162

At its meeting of April 1, 2004, the State Board of Examiners reviewed information received from the Somerset County Prosecutor's Office indicating that on August 11, 2003, Glen Albright had pled guilty to charges of attempted endangering the welfare of a child and endangering the welfare of a child. On January 2, 2004, the court sentenced Albright to three years' probation, community supervision for life and psychological evaluation and counseling. The court also fined Albright and ordered him to provide a DNA sample for testing. Albright currently holds a Teacher of English certificate, issued in July 1982; a Principal/Supervisor certificate, issued in December 1988 and a Teacher of Speech Arts and Dramatics certificate, issued in January 1989. Upon review of the above information, at its April 1, 2004, meeting, the State Board of Examiners voted to issue Albright an Order to Show Cause.

The Board sent Albright the Order to Show Cause by regular and certified mail on June 29, 2004. The Order provided that Albright's Answer was due within 30 days. Albright filed his response on July 23, 2004. In that Answer, Albright stated that the charges he faced were the lowest degree crimes possible. (Answer, ¶ 3.) He also indicated that the Board of Examiners did not have all of the facts regarding his case. (Answer, ¶¶ 3, 5.) Albright also stated that he had originally pled not guilty and had applied for entrance into a Pre-Trial Intervention program, but changed his plea after the prosecutor offered him a plea bargain. (Answer, ¶ 4.)

Thereafter, pursuant to *N.J.A.C.* 6A:9-17.7(e), on September 28, 2004, the Board of Examiners sent Albright a hearing notice by regular and certified mail. The notice explained that since it appeared no material facts were in dispute, Albright 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. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the State Board of Examiners would determine if his offense warranted action against his certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. On October 29, 2004, Albright submitted his reply.

In that response, Albright told the Board of Examiners that he suffered from various medical maladies. (Hearing Response, p. 1.) He claimed that the more than 40 prescription medications he had to take daily led to depression and an inability to discern proper behavior. (Hearing Response, p. 1). He stated that his prescription drug intake had decreased and his mental and psychological abnormalities had been corrected. (Hearing Response, p. 1.) Albright also claimed that the state psychologist who evaluated him claimed that his crime was not sexual in nature, but rather a physical and psychological issue. (Hearing Response, p.1). Finally, Albright claimed that he worked hard to attain his certificates and therefore wanted to retain them. (Hearing Response, pp. 1-2).

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Albright's guilty plea of attempted endangering the welfare of a child and endangering the welfare of a child constitutes conduct unbecoming a certificate holder. At its meeting of January 20, 2005, the State Board of Examiners reviewed the charges and papers Albright filed in response to the Order to Show Cause. After review of Albright's submissions, the Board of Examiners determined that no material facts related to his offense were in dispute since Albright admitted that he had pled guilty to the offenses charged and had been sentenced accordingly.

Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*.

The State Board of Examiners must now determine whether Albright's offense as set forth in the Order to Show Cause, provides just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. It finds that it does.

The State Board of Examiners 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:9-17.5*. "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. Albright's acts of attempting to solicit sex from an individual he thought was a minor are inexcusable for any individual, teacher or not. While Albright may have been an exceptional teacher in the classroom, he has not demonstrated like behavior outside that arena.

It is well established that the State Board of Examiners has the right to revoke a certificate where the teacher was involved in criminal activities, even if the activities were unrelated to the classroom. *See Cox v. State Board of Examiners*, (App. Div. Docket No. A-3527-81T3) (November 18, 1983); *State Board of Examiners v. Krupp*, 3 *N.J.A.R.* 285 (1981). Moreover, the Commissioner has long held that teachers serve as role models for their students. Furthermore, 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 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Albright's behavior, no matter its cause, is unacceptable for an individual who is to be a role model for children.

Accordingly, it is therefore ORDERED that Glen Albright's Teacher of English, Principal/Supervisor and Teacher of Speech Arts and Dramatics certificates be revoked on this 20th day of January 2005. It is further ORDERED that Albright return his certificates to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

Michael K. Klavon, Acting Secretary
State Board of Examiners

Date of Mailing: FEBRUARY 18, 2005

Appeals may be made to the State Board of Education pursuant to the provisions of *N.J.S.A.* 18A:6-28.