

DECISION STAYED

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
JENNIFER A. CORNINE : ORDER OF SUSPENSION
_____ : DOCKET NO: 1314-208

At its meeting of July 15, 2014, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU) and the Monmouth County Prosecutor's Office regarding Jennifer A. Cornine. In December 2013, Cornine was accepted into a Pretrial Intervention program (PTI) for three years after having been charged with Endangering the Welfare of a Child-Duty for driving under the influence of alcohol with a child in her car. Cornine currently holds a Teacher of Television Production Technology Certificate of Eligibility, issued in December 1997 and a Teacher of Television Production Technology certificate, issued in August 2002. Upon review of the above information, at its meeting of July 24, 2014, the Board voted to issue Cornine an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Cornine the Order to Show Cause by regular and certified mail on July 24, 2014. The Order provided that Cornine must file an Answer within 30 days. The certified copy was returned as "Undeliverable as Addressed" and the regular mail copy was not returned. After securing a new address for Cornine, the Board re-sent the Order by regular and certified mail on August 14, 2014. Cornine responded on September 15, 2104. In that Answer, Cornine stated that she taught Television Production in the Matawan-Aberdeen Regional School District from 2000 until 2006 and had been a teacher in the Monmouth County Vocational School District since September 2006. (Answer, ¶¶ 2, 3). She noted that she had received consistently positive observations and performance evaluations and had many accolades as a television production educator. (Answer, ¶¶ 3, 4). Cornine recounted that, in the fall of 2012, she began to experience severe agitation and depression. (Answer, ¶ 6). She sought out treatment and began seeing a doctor who diagnosed her with depression and prescribed Zoloft. (Answer, ¶ 8). Cornine noted her condition worsened and the doctor continued to increase the dosages of her medication and also

prescribed something to calm her. (Answer, ¶ 9). She was hospitalized on February 11, 2013 as she was trying to find another doctor to treat her. (Answer, ¶ 9). Cornine noted that the combination of the two medications seriously affected her health and judgment. On February 15, 2013 she stated that she was severely agitated and had consumed several alcoholic beverages to calm her nerves. She decided to exercise hoping to alleviate her anxiety and drove to the Manasquan River Reservoir to go running with her 12-year-old daughter. (Answer, ¶ 10). Cornine admitted that this was an act of “gross negligence” and added that she now recognizes she was in “a hypomania state.” (Answer, ¶ 10). On the drive home, Cornine turned into a side street and hit a parked car. She had her daughter call home and while waiting for her husband to arrive, Cornine said a man came out of his house and called the police to report the accident. (Answer, ¶ 11). Cornine failed the field sobriety test and was brought to the police station. She was later transferred to the hospital and then released to her husband later that night. (Answer, ¶ 12). Cornine then entered a residential treatment facility and later directly enrolled in outpatient treatment where she was correctly diagnosed with Bipolar 2 and placed on medication that completely alleviated her symptoms. (Answer, ¶¶ 12-14). She added that she was admitted into the Pretrial Intervention program (PTI) and added that she has abided by all of the terms of PTI, including visits with her psychiatrist for medication management and her community service, which she also continued even after the PTI requirements were satisfied. (Answer, ¶¶ 16-17). Cornine took full responsibility for her actions and offered the extenuating circumstances for her lapse in judgment. (Answer, ¶ 19). She added that her Superintendent allowed her to continue teaching and she did so without incident for the remainder of the 2012-2013 school year and the 2013-2014 school year as well. (Answer, ¶ 14). Cornine noted that the revocation or suspension of her certificates would have a devastating financial impact on her family and be disruptive to her students. (Answer, ¶¶ 23, 24). Cornine also submitted letters of support/reference with her Answer.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on October 3, 2014, the Board sent Cornine a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts

were in dispute. Thus, Cornine 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, as well as arguments with regard to the appropriate sanction in the event that the Board found just cause to take action against her certificates. It also explained that upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Cornine submitted a Hearing Response on November 3, 2014.

In her response, Cornine argued that one incident, which did not involve her employment and was the product of a previously undiagnosed psychological disability that had since been properly treated and remediated, should not form the basis for adverse action against her certificates. (Hearing Response, p. 8). Cornine added that she had not been convicted of any criminal offense and was not required to surrender her teaching certificate as a precondition to entering PTI. She added that she had had an exemplary teaching career and had the full support of her Superintendent and her family. (Hearing Response, p. 11). Accordingly, Cornine asked that the Board take no adverse action against her certificates. Cornine also asked to appear before the Board and offer testimony.

In testimony before the Board, Cornine's attorney stated that in the summer of 2012, before the incident happened, Cornine was happy with her life: she had outstanding teacher evaluations and wonderful relationships with her students. He added that a childhood trauma had affected her relationships with family members, but it was remarkable how she had responded. In her testimony, Cornine noted that in October 2012 she developed anxiety and depression as her daughter reached the same age she had been when she was sexually assaulted as a child. She reiterated much of her history as noted in her Answer and Hearing Response regarding the incident at issue. Cornine acknowledged that she could not go back in time but she could learn from this and help others. She claimed she was a better educator with more empathy. Cornine added that she had students depending on her guidance for college applications and that the television studio was under renovation. She also noted that health insurance was

vital to her condition and a suspension or revocation of her certificates would end her career. She argued that “when we make mistakes we can choose another path and make amends-it is never too late to start over.”

The threshold issue before the Board in this matter, therefore, is whether the conduct underlying Cornine’s admission into PTI constitutes conduct unbecoming a certificate holder. At its meeting of January 23, 2015, the Board considered the allegations in the Order to Show Cause, Cornine’s Answer, her Hearing Response and her testimony. The Board determined that no material facts related to Cornine’s offense were in dispute since she never denied that she had engaged in the conduct charged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether the conduct underlying Cornine’s charges, as set forth in the Order to Show Cause, represents just cause to act against her certificates pursuant to *N.J.A.C. 6A:9B-4.5*. The Board finds that it does.

The Board 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:9B-4.5*. “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. Moreover, the Commissioner has long held that teachers serve as role models for their students. Cornine’s conduct in driving while intoxicated and medicated with her daughter in the car demonstrates behavior that falls short of the role model status expected of teachers.

Furthermore, a teacher’s behavior outside the classroom may be relevant in determining that person’s qualifications and continued fitness to retain her certificate. *In re Grossman*, 127 *N.J. Super.* 13, 30 (Sup. Ct. 1943), *aff’d*, 131 *N.J.L.* 326 (E & A 1944). Moreover, 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). Accordingly, the Board finds that Cornine's indictment for Endangering the Welfare of a Child-Duty provides just cause to take action against her certificates. However, because the court saw fit to allow Cornine entry into PTI, with a resulting dismissal of her conviction upon its successful completion, the Board believes that a suspension of her teaching certificate, rather than revocation, is appropriate. Nonetheless, due to the serious nature of Cornine's actions, a three-year suspension of her certificates is warranted here.

Accordingly, on January 23, 2015, the Board voted to suspend Cornine's certificates for a period of three years. On this 12th day of March 2015 the Board formally adopted its written decision to suspend and it is therefore ORDERED that Jennifer Cornine's Teacher of Television Production Technology Certificate of Eligibility and her Teacher of Television Production Technology certificate be suspended effective this day. It is further ORDERED that Cornine return her certificates to the Secretary of the State Board of Examiners, Office of Licensure and Certificates, PO Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

RRH/MZ/th
Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of N.J.S.A. 18A:6-38.4.