

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
VINNETTE RICHARDSON : ORDER OF REVOCATION
_____ : DOCKET NO: 0405-216

At its meeting of March 29, 2007, the State Board of Examiners (Board) voted to suspend the certificates of Vinnette Richardson (a/k/a Viette Chipepo) as a result of her 2006 conviction for Aggravated Arson and Conspiracy to Commit Aggravated Arson. *In the Matter of the Certificates of Vinnette Richardson*, Dkt. No. 0405-216 (Bd. Of Examiners March 29, 2007). The Board suspended Richardson's certificates pending resolution of her appeal of her criminal conviction. *Id.* at 4. Richardson's conviction was affirmed by the Superior Court, Appellate Division on July 26, 2010. *State v. Chipepo*, A-3756-06T4 (App. Div. July 26, 2010) (Unpublished Opinion). The court also affirmed Richardson's conviction when it denied her petition for post-conviction relief on March 27, 2014. *State v. Chipepo*, A-2850-11T2 (App. Div. March 27, 2014) (Unpublished Opinion).

At its meeting of July 30, 2014, the Board reviewed the updated information regarding Richardson. As a result of the conviction, Richardson was disqualified from public service pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Richardson currently holds a Teacher of Elementary School Certificate of Eligibility, issued in September 1998, a Teacher of Elementary School certificate, issued in February 2000, and a Principal/Supervisor Certificate of Eligibility, issued in July 2003. Richardson did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted to issue Richardson an Order to Show Cause at its meeting of September 17, 2015 as to why her certificates should not be revoked.

The Board sent Richardson the Order to Show Cause by regular and certified mail on September 23, 2015. The Order provided that Richardson must file an Answer within 30 days. Neither the certified mail copy nor the regular mail copy was returned. Richardson did not file a response.

Thereafter, on November 25, 2015, the Board sent Richardson another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. Neither the certified mail copy nor the regular mail copy was returned. Richardson did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 17, 2015, the Board sent Richardson a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of her failure to file an Answer. Thus, Richardson 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. Richardson was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified mail copy nor the regular mail copy was returned. Once again, Richardson did not respond.

The threshold issue before the Board in this matter is whether Richardson's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Richardson failed to respond to the Order to Show Cause or the hearing notice, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of March 3, 2016, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Richardson's offense were in dispute since she never denied that she had been convicted of the offense charged and been subsequently disqualified. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.6(h)*. The Board found that Richardson had engaged in unbecoming conduct.

The Board must now determine whether Richardson's conviction and disqualification, which was predicated on the same offense as was set forth in the Order to Show Cause, represent just cause to act against her certificates pursuant to *N.J.A.C.* 6A:9-4.4. The Board finds that they do.

In enacting the Criminal History Review statute, *N.J.S.A.* 18A:6-7.1 *et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger to them. Individuals convicted of crimes such as Aggravated Arson and Conspiracy to Commit Aggravated Arson fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-held belief that teachers should serve as role models for their students. "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.

In this case, Richardson has a conviction for Aggravated Arson and Conspiracy to Commit Aggravated Arson. A teacher's behavior outside the classroom may be relevant in determining that person's qualifications and continued fitness to retain his 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). In this instance, Richardson's conviction demonstrates egregious behavior that falls far short of a role model.

That strong policy statement on the part of the Legislature set forth in *N.J.S.A.* 18A:6-7.1(b) also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is so great that he or she would be barred from service in public schools if convicted of that offense, should not be permitted to retain the license that authorizes such service while the courts determine his or her culpability. Thus, because the Legislature and the Commissioner consider Richardson's offenses so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificates.

Accordingly, on March 3, 2016, the Board voted to revoke Vinnette Richardson's Teacher of Elementary School Certificate of Eligibility, Teacher of Elementary School certificate, and Principal/Supervisor Certificate of Eligibility. On this 14th day of April 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Richardson's certificates be effective immediately. It is further ORDERED that Richardson return her certificates to the Secretary of the State Board of Examiners, Office of Certification and Induction, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

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.