

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
TONILEE COLEMAN : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1516-175

At its meeting of March 3, 2016, the State Board of Examiners (Board) reviewed information received from the Gloucester County Prosecutor's Office (GCPO) and the Criminal History Review Unit (CHRU) regarding Tonilee Coleman. On October 9, 2015, Coleman pled guilty to Vehicular Homicide and Assault by Auto. Coleman had driven drunk and caused an accident which killed one victim and seriously injured another. On January 8, 2016, she was sentenced to four years in prison. The CHRU notified the Board that, as a result of her conviction, Coleman was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Coleman currently holds a Teacher of Elementary School Certificate of Eligibility With Advanced Standing, issued in January 2002.

Coleman did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of April 14, 2016 to issue Coleman an Order to Show Cause as to why her certificate should not be revoked.

The Board sent Coleman the Order to Show Cause by regular and certified mail on April 20, 2016. The Order provided that Coleman must file an Answer within 30 days. The certified mail copy was returned as "Unclaimed." After securing Coleman's address in prison, the Board re-sent the Order to her by regular and certified mail on June 10, 2016. The certified mail receipt was signed and returned and the regular mail copy was not returned. Coleman did not file a response. Thereafter, on July 22, 2016, the Board sent Coleman another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The

certified mail receipt was signed and returned and the regular mail copy was not returned. Coleman did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on August 18, 2016, the Board sent Coleman 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, Coleman 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 certificate. 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 certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Coleman was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Coleman did not respond.

The threshold issue before the Board in this matter is whether Coleman's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Coleman failed to respond to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of November 1, 2016, the Board considered only the allegations in the Order to Show Cause and the information received from the GCPO and the CHRU. The Board concluded that no material facts related to Coleman's offense were in dispute since she never denied that she engaged in the conduct alleged and therefore determined that summary decision was appropriate in this matter. *N.J.A.C.*

6A:9B-4.6(h). After reviewing the allegations, the Board found that Coleman had engaged in unbecoming conduct.

The Board must now determine whether Coleman's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her certificate pursuant to *N.J.A.C. 6A:9B-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. Individuals convicted of crimes such as Vehicular Homicide and Assault by Auto fall squarely within this category. The strong legislative policy statement is also in accord with the Commissioner's long-standing belief that teachers must 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. 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Coleman's conviction demonstrates behavior that falls far short of a role model.

The 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 is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold herself out as a teacher. Thus, because the Legislature and the Commissioner consider Coleman's

offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificate.

Accordingly, on November 1, 2016, the Board voted to revoke Tonilee Coleman's Teacher of Elementary School Certificate of Eligibility With Advanced Standing. On this 9th day of December 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Coleman's certificate be effective immediately. It is further ORDERED that Coleman return her certificate 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.

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Robert R. Higgins, Secretary  
State Board of Examiners

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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.