

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
LORRAINE DUTILL : ORDER OF REVOCATION
_____ : DOCKET NO: 1819-167

At its meeting of March 8, 2019, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Pennsylvania Professional Standards and Practices Board (Pennsylvania) forwarded regarding Lorraine Dutill. In August 2013, Dutill was charged in Pennsylvania with Aggravated Assault, Possessing Instrument of Crime with Intent, Simple Assault and Recklessly Endangering Another Person after she put her mother's feet into a tub of boiling water, knowing that her mother could not move her legs due to a recent surgery. On December 10, 2013, Dutill pled no contest to Simple Assault and Recklessly Endangering Another Person. She was sentenced to two years' probation and ordered to have no contact with the victim. As a result of Dutill's criminal conviction, Pennsylvania filed charges against her. Dutill surrendered her Pennsylvania teaching certificate on August 17, 2018.

In New Jersey, Dutill currently holds a Teacher of Elementary School in Grades K-8 Certificate of Eligibility with Advanced Standing. Upon review of the above information, at its April 12, 2019 meeting, the Board voted to issue Dutill an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Dutill the Order to Show Cause by regular and certified mail on April 16, 2019. The Order provided that Dutill had 30 days to respond. Service of the Order to Show Cause was appropriate in that the green card was signed for upon delivery. Dutill did not respond. On May 21, 2019, the Board sent Dutill another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. Dutill did not file a response to that notice and again, the certified green card was returned with signature.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on June 12, 2019, the Board sent Dutill 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, Dutill 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 about the appropriate sanction if the Board found just cause to act 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 Dutill's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Dutill was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Dutill filed a response indicating that she was "mistakenly charged with several items." She indicated that the allegations were never proven because she took a plea of no contest and she intends to have the convictions removed from her record when eligible and otherwise has a "clean record." (Hearing Submission).

The threshold issue before the Board in this matter is whether Dutill's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Dutill 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 August 1, 2019, the Board considered the allegations in the Order to Show Cause, the information received from NASDTEC and Pennsylvania, and Dutill's submission in mitigation of the penalty. The Board concluded that no material facts related to Dutill's offense were in dispute. Thus, the Board 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 Dutill engaged in unbecoming conduct.

The Board must now determine whether Dutill's conduct, as set forth in the Order to Show Cause, provides just cause to act against her certificates pursuant to *N.J.A.C. 6A:9B-4.4*. 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-4.4*. "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). Dutill's conviction for Simple Assault and Reckless Endangerment and the surrender of her Pennsylvania educator license clearly demonstrate underlying conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to her breach is the revocation of her New Jersey certificate.

Accordingly, on August 1, 2019, the Board voted to revoke Lorraine Dutill's Teacher of Elementary School in Grades K-8 Certificate of Eligibility with Advanced Standing. On this 19th day of September 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Dutill's certificates be effective immediately. It is further ORDERED that Dutill 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.

Rani Singh, Acting Secretary
State Board of Examiners

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Date of Mailing:
Via certified and regular mail

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