

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
ARTHUR L. MELTON : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1718-168

At its meeting of January 19, 2018, 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 Commission (“Pennsylvania”) forwarded regarding Arthur L. Melton. On July 17, 2014, Melton surrendered his Pennsylvania teaching certificates after allegations that he violated the integrity and security of the state-wide assessment tests for multiple years from 2005 through 2012. Melton was criminally charged and in September 2017, he was found guilty of Tampering with Records.

In New Jersey, Melton currently holds a Principal Certificate of Eligibility. Upon review of the above information, at its March 1, 2018 meeting, the Board voted to issue Melton an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Melton the Order to Show Cause by regular and certified mail on March 5, 2018. The Order provided that Melton had 30 days to respond. On April 4, 2018, Melton provided an Answer in which he stated that he surrendered his Pennsylvania certificate(s) under the legal advice of his attorney. He also indicated he was “guilty of ‘altering student ID.’” *See* Answer at ¶ 3. Further, he alleged that he was appealing his conviction. *Id.* at ¶ 4.

The Board requested information on the appeal and Melton provided documentation indicating the appeal was pending. Accordingly, the Board placed this matter in abeyance pending the outcome of the appeal. Melton was advised that he must notify the Board of the outcome of the appeal. In March 2021, the Board learned that the appeal was decided that the conviction had been upheld in October 2020.

Based upon the answer and the upheld conviction, the Board determined that no material facts were in dispute. As a result, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on September 8, 2021, the Board sent Melton a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show

Cause were not in dispute. Thus, Melton 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 his certificate. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Melton's offense/conviction warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Melton was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was signed for, the green card receipt returned, and the regular mail copy was not returned. Initially, Melton did not file a response.

After receiving notice that this matter would be before the Board as a hearing on the papers, Melton submitted a letter dated December 7, 2021 wherein he reiterated that he voluntarily surrendered his Pennsylvania educator certificates under legal advice. He stated that the criminal charges were brought by an aggressive "AG." He acknowledged that the three judges assigned to his criminal conviction appeal did not find in his favor. He states that he and his attorney disagree, but he does not have the finances to pursue the matter any further. Finally, he lists several accomplishments from his time as a principal.

The threshold issue before the Board in this matter is whether Melton's conduct/conviction constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of December 16, 2021, the Board considered the allegations in the Order to Show Cause, as well as the information received from NASDTEC and Pennsylvania. The Board concluded that no material facts related to Melton's offense were in dispute since he did not deny the alleged conviction and action against out of state license(s) in the Order to Show Cause. 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 Melton engaged in unbecoming conduct.

The Board must now determine whether Melton's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificate 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). Melton’s actions in surrendering his certificate(s) in Pennsylvania after his criminal conviction on records tampering clearly indicate a serious lapse in judgment. The Board therefore concludes that the appropriate response to his breach is the revocation of his certificate.

Accordingly, on December 16, 2021, the Board voted to revoke Arthur L. Melton’s Principal Certificate of Eligibility. On this 21<sup>st</sup> day of January 2022, the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Melton’s certificate be effective immediately. It is further ORDERED that Melton return his 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.

---

Rani Singh, Secretary  
State Board of Examiners

**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.