

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
JILL MARIA (MASON) : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 2021-167

At its meeting of May 13, 2021, the State Board of Examiners (Board) reviewed a tenure decision regarding Jill Maria (Mason), a former tenured teacher in the Lawrence Township School District (Lawrence). Pursuant to *N.J.S.A. 18A:6-16*, Arbitrator Daniel F. Brent (Arbitrator), who was assigned by the Department of Education to hear the case, referred to the State Board of Examiners (Board) the tenure matter captioned *In the Matter of the Tenure Hearing of the School District of the Township of Lawrence, Mercer County and Jill Maria, Respondent, Agency Docket Number 123-5/20, November 16, 2020*.

In his Decision (incorporated herein by reference), the Arbitrator noted that tenure charges were initially filed by Lawrence in or about December 2018, when Maria was charged with failing to report her arrest on criminal charges in Pennsylvania in January 2017 and positive drug tests arising thereafter. *Id.* at p. 4. Those initial tenure charges resulted in Maria receiving a 120-day suspension without pay and the withholding of an annual salary increment (hereinafter referred to as the initial tenure decision). *Id.*

On or about April 30, 2020, Lawrence filed additional tenure charges alleging Maria engaged in additional misconduct subsequent to the initial tenure decision. Specifically, the additional tenure charges alleged that Maria engaged in additional misconduct after the initial tenure decision. Specifically, the additional tenure charges alleged that Maria failed to disclose at least two positive drug tests and provided false answers to direct inquiries by one or more District administrators regarding her recent drug use.

The Arbitrator determined that Lawrence established conduct unbecoming a teacher by clear and convincing evidence, including Maria's sworn testimony during the tenure proceeding wherein she admitted her dishonesty regarding the two additional failed drug tests after the date of the initial tenure decision. The Arbitrator found that the "gross misconduct occurred after her suspension ended, after the 2019-2020 school year commenced, and while she was awaiting imminent reinstatement." Arbitrator Decision at page 19. On November 16, 2020, the

Arbitrator found that based on the evidence, Lawrence properly revoked Maria's tenure and terminated her employment.

Maria currently holds a Teacher of Elementary Grades K-6 Certificate of Eligibility with Advanced Standing, Teacher of Students with Disabilities Certificate of Eligibility with Advanced Standing, Teacher of Elementary Grades K-6 certificate and Teacher of Students with Disabilities certificate. After reviewing the above information, at its June 25, 2021 meeting, the Board voted to issue an Order to Show Cause to Maria as to why her certificate should not be revoked. The Order was predicated on the charges that were proven in the tenure hearing.

The Board sent Maria the Order to Show Cause by regular and certified mail on June 29, 2021. The Order provided that Maria's Answer was due within 30 days. After requests for extensions, Maria filed her Answer on or about September 30, 2021.

In that Answer, Maria admitted that Lawrence brought tenure charges against her and that Arbitrator Daniel F. Brent was assigned to the matter. (Answer, ¶ 2). She admitted that she failed to report an arrest in Pennsylvania and that she was placed on probation; she also admitted that she did not disclose two positive drug tests and "was not forthcoming when they were initially asked." (Answer, ¶ 4). She stated that she was embarrassed about a relapse and she has learned as part of her recovery that she can acknowledge her issues and has a solid program with almost two (2) years of sobriety. *Id.* Further, she admits that she engaged in the misconduct and has regrets but will accept the consequences. She did not intend to be deceptive but "became somebody that I never wanted to be nor ever expected to be" as a result of her drug addiction. (Answer, ¶ 5). Finally, she indicates she enjoys working with children and her heart is with special education as she has a personal connection to this area. (Answer, ¶ 8).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on November 8, 2021, the Board sent Maria a hearing notice by regular and certified mail. The notice explained that there appeared to be no material facts in dispute. Thus, Maria was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause provided just cause to take action against her certificates as well as arguments with regard to the appropriate sanction in the event that the Board determined 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 Maria's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Maria was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Maria filed a written response on January 27, 2022. Maria also asked to appear before the Board.

In her Hearing Response, Maria stated that she does not deny the charges but wished to explain her circumstances. (Hearing Response, p. 1). She notes that her actions were the result of alcoholism and addiction. *Id.* Maria provided personal details regarding her addiction and how that related to her decisions. She provided three (3) letters of character reference.

In testimony before the Board, Maria was present and requested another chance. She stated she is a one-to-one paraprofessional in Pennsylvania and wishes to keep her certificate in Pennsylvania.

The threshold issue before the Board in this matter, therefore, is whether Maria's conduct constitutes conduct unbecoming of a certificate holder. At its meeting of May 19, 2022, the Board considered the allegations in the Order to Show Cause as well as Maria's Answer, Hearing Response, and testimony. The Board determined that it was constrained by collateral estoppel to accept the facts as found in the tenure hearing and therefore no material facts related to Maria's offense were in dispute. *See In the Matter of the Certificates of Richard Barnes-Bey*, Dkt. No. 1314-194 (Bd. Of Examiners September 17, 2015) (Collateral estoppel applies to facts established in a prior tenure hearing for Board revocation proceedings). Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

The Board must now determine whether Maria's conduct, as set forth in the Order to Show Cause and proven in the tenure hearing, 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-4.4. "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). Maria's conduct in failing to acknowledge her criminal charges to her employer, being less than forthcoming on several occasions, indicates a serious lapse in judgment. Although Maria indicates she was dealing with some personal circumstances that may have impacted her decisions and conduct, it does not mitigate the penalty here. Accordingly, the Board finds that the appropriate response to her breach is revocation of her certificates.

Accordingly, on May 19, 2022, the Board voted to revoke Jill Maria (Mason) Teacher of Elementary Grades K-6 Certificate of Eligibility with Advanced Standing, Teacher of Students with Disabilities Certificate of Eligibility with Advanced Standing, Teacher of Elementary Grades K-6 certificate and Teacher of Students with Disabilities certificates are revoked effective immediately. On this 30<sup>th</sup> day of June 2022 the Board voted to adopt its formal written decision and it is therefore ORDERED that Maria's certificates are hereby revoked, effective immediately. It is further ORDERED that Maria 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.

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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 *N.J.S.A.* 18A:6-38.4.