

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
JEAN N. ALLEN : ORDER OF SUSPENSION
_____ : DOCKET NO: 1617-262

At its meeting of April 1, 2021, the State Board of Examiners (Board) reviewed information that the Office of Student Protection (OSP) and the Hudson County Prosecutor's Office forwarded regarding Jean N. Allen. On July 23, 2018, Allen was indicted on charges of Conspiracy (2nd degree), Trafficking personal Information (2nd degree), Criminal Attempt to Purposely Engage in Theft by Deception (2nd degree), Receiving Stolen Property over \$75,000 (2nd degree), and Money Laundering (2nd degree). Allen allegedly was involved in filing fraudulent tax returns with the State of Hawaii to obtain funds to which she was not entitled. On November 26, 2018, Allen pled guilty to an amended charge of Conspiracy (3rd degree) and was subsequently sentenced to probation for two (2) years.

Allen currently holds a Teacher of English Certificate of Eligibility with Advanced Standing and Teacher of English certificate. Upon review of the above information, at its May 13, 2021 meeting, the Board voted to issue Allen an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Allen the Order to Show Cause by regular and certified mail on May 20, 2021. The Order provided that Allen had 30 days to respond. The regular mail was not returned, and the certified mail was signed for and received. Allen did not respond. The Board then sent Allen a second notice on July 21, 2021 by certified and regular mail. The regular mail was not returned, and the certified mail was signed for and received.

Ms. Allen then requested an extension of time to submit an Answer. The Board granted her extension request until October 29, 2021. No Answer or other communication was received by the deadline. Accordingly, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 2, 2021, the Board sent Allen a hearing notice by regular and certified mail. The notice explained that since no Answer was submitted, the material allegations were deemed admitted and therefore there were no material facts in dispute. Thus, Allen 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 Allen's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Allen was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Allen submitted an email in response but did not file an Answer.

In her response, Allen admitted to the conduct. She stated that she was held accountable personally and legally. She is paying her fines and has explained to her children the error of her ways. She also indicated she loves teaching and helping others and is humbled by her experiences. The Board responded and asked whether she wanted to appear before the Board. No response to that inquiry was received.

The threshold issue before the Board in this matter is whether Allen's conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of January 21, 2022, the Board considered the allegations in the Order to Show Cause as well as Allen's submission. The Board determined that no material facts related to Allen's offense were in dispute since she admitted to the conduct and did not file an Answer. 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 Allen engaged in unbecoming conduct.

The Board must now determine whether Allen'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). Allen's conduct and conviction for Conspiracy (3rd degree), clearly indicates a serious lapse in judgment. The Board therefore concludes that the appropriate response to her breach is a suspension of her certificates.

Accordingly, on January 21, 2022, the Board voted to suspend for three (3) years Jean N. Allen's Teacher of English Certificate of Eligibility with Advanced Standing and Teacher of English certificate. On this 4th day of March 2022, the Board voted to adopt its formal written decision and it is therefore ORDERED that Allen's certificates are hereby suspended for a period of three (3) years, effective immediately. It is further ORDERED that Allen 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, 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.