

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
SARAHJANE MELICK (FREEMAN) : ORDER OF SUSPENSION  
\_\_\_\_\_ : DOCKET NO: 2223-125

At its meeting of December 9, 2022, the State Board of Examiners (Board) reviewed information received from the National Association of State Directors of Teacher Education and Certification, and the Florida Education Practices Commission (Florida), regarding SarahJane Melick (Freeman).

On January 7, 2020, Melick was under the influence of alcohol while in the presence of, and responsible for students. On that day, the school nurse was visiting Melick's classroom and became concerned about Melick and reported her concerns. Melick was removed from the classroom and the principal observed her to have watery, bloodshot eyes and to be withdrawn and clumsy with slurred speech and the odor of alcohol. Melick was required to submit to a test. Melick provided a urine sample but left before the sample was validated. On January 10, 2020, Melick retired from her position in the district.

As a result of the above, on September 16, 2022, Florida suspended her educator certificate(s) for a period of two years, along with other terms and conditions.

Melick currently holds a Teacher of Elementary School in Grades K-8 certificate. Upon review of the above information, at its January 26, 2023 meeting, the Board voted to issue Melick an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Melick the Order to Show Cause by regular and certified mail on January 31, 2023. The Order provided that Melick had 30 days to respond. Melick filed an Answer on March 1, 2023.

In that Answer, Melick admits the conduct and indicates that she attended and completed a treatment program at the Stepping Stone Center for Recovery. She indicates that she does not believe the conduct provides sufficient cause for suspension of her licenses and requests a probationary teaching license with monitoring. *See Answer at ¶3-5.* She further details her teaching history and experience and explains what transpired in Florida. *Id.*

Melick indicates that she has been teaching in New Jersey since October 2020. She further states she was unaware of the action pending in Florida. If she had known, she states she would have driven down there to preserve her teaching licenses as it is the most valuable asset and means everything to her. *Id.*

Based upon the answer, there are no material facts in dispute as Melick admits the conduct. Accordingly, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on March 24, 2023, the Board sent Melick a hearing notice by regular and certified mail. The notice explained that there were no material facts in dispute. Thus, Melick 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 his defense, the Board would determine if Melick's conduct warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Melick was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Melick filed a written response.

In that response, Melick stated that she recognizes that teachers hold a position that demands public trust. However, she does not believe that her being impaired at work on one occasion over a 25-year teaching career is a serious lapse in judgment. She did not bring alcohol to school and did not drink it on the premises. Her students made no comments about her appearance on the morning of the incident, and they were not aware of what transpired.

She states she has no history of alcoholism, but still immediately sought and obtained treatment for this aberration in judgment. She provides character reference letters. She requests that the lack of other immoral conduct in her history, lack of impact to her students, and the fact that this was an isolated incident does not warrant a suspension here. Instead, she requests a conditioned or stayed suspension and requested to appear before the Board.

The hearing was scheduled for the Board's meeting on May 18, 2023. Ms. Melick appeared and reiterated much of what was in her submissions. She took responsibility for her actions, indicating it was inexcusable but also noting it was an isolated event.

The threshold issue before the Board in this matter is whether Melick's conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of June 29, 2023, the Board considered the allegations in the Order to Show Cause as well as Melick's Hearing Response and testimony. The Board determined that no material facts related to Melick's offense were in dispute since she admitted that she engaged in the alleged conduct. 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 Melick engaged in unbecoming conduct.

The Board must now determine whether Melick'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). Melick's conduct in being intoxicated at work, clearly indicates a serious lapse in judgment. However, given Melick's presentation of mitigation, specifically her explanation of her remorse, her passion for teaching, the fact that this was her first disciplinary action, she maintained an exemplary record prior to this incident, as well as the fact that she obtained treatment after the incident, the Board concludes that the appropriate response to her breach is a one-year suspension of her certificate. The Board is not authorized to issue a stayed suspension or other conditional type of suspension as requested by Ms. Melick.

Accordingly, on June 29, 2023, the Board voted to suspend SarahJane Melick Freeman's Teacher of Elementary School in Grades K-8 certificate for a period of one year. On this 4<sup>th</sup> day of August 2023, the Board voted to adopt its formal written decision and it is therefore ORDERED that Melick's certificates are hereby suspended for a period of one year, effective immediately. It is further ORDERED that Melick 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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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.