

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
LUKE MAGINNIS : ORDER OF SUSPENSION
_____ : DOCKET NO: 2021-177

Luke Maginnis is the holder of a Teacher of Physical Education Certificate of Eligibility with Advanced Standing, issued June 2016, and a standard Teacher of Physical Education certificate, issued October 2022.

At its meeting of June 25, 2021, the State Board of Examiners (Board) reviewed information it received from the Califon Public School District (Califon) regarding Maginnis. On or about April 28, 2021, Califon terminated Maginnis following allegations that, upon his initial employment, he misrepresented that he held a special education certification issued by the Department of Education and a master's degree from Fairleigh Dickinson University (FDU).

Specifically, it was alleged that Maginnis' resume indicated that he graduated in May 2018 from FDU with a Master's in Art of Teaching – Major: Special Education & Supervision. Califon contacted FDU and the Assistant Director of Enrollment Services for Records at FDU confirmed that Maginnis did not finish the master's in arts degree with a specialization in Teacher of Students with Disabilities and thus did not obtain the degree. Further, Maginnis' employment application in Califon indicated that he holds both a New Jersey Physical Education and a New Jersey Special Education certificate. Califon confirmed via the online teacher certification system for New Jersey that Maginnis does not hold a certificate to teach special education.

After reviewing the above information, at its July 30, 2021 meeting, the Board voted to issue an Order to Show Cause (OSC) to Maginnis as to why her certificates should not be revoked.

On or about August 5, 2021, the Board sent Maginnis the OSC by regular and certified mail. The OSC provided that Maginnis must file an Answer within 30 days pursuant to *N.J.A.C.* 6A:9B-4.6(b). On September 16, 2021, Maginnis submitted an answer in which he denied the allegations that he misrepresented his credentials. *See* Answer, dated September 16, 2021. Specifically, he stated that he provided Califon with an “unofficial” transcript from his master’s program at FDU and neither admitted nor denied whether he finished his master’s degree. *Id.* at ¶ 3. Further, he neither admitted nor denied what Califon did to confirm or deny the allegations and stated that there would be no reason to mislead anyone as he did not financially benefit. *Id.* at ¶ 6. He acknowledged that Califon terminated him, that his resume indicated that he graduated in May 2018 from FDU with a Master’s in Art of Teaching – Major: Special Education & Supervision, and that his employment application indicated that he held a certificate in Physical Education and a certificate in Special Education. *Id.* at ¶ 3, 5. As there were material facts in dispute, the Board transmitted the matter to the Office of Administrative Law (OAL) for a hearing on October 27, 2021.

On April 2, 2024, Administrative Law Judge (ALJ) Judith Lieberman granted the Board’s cross-motion for partial summary judgment, concluding that Maginnis had misrepresented the status of his teaching certificates and higher education on his application and resume. *In the Matter of the Certificates of Luke Maginnis*, OAL Dkt. No. EDE 08865-21 (Initial Decision, November 4, 2024), pp.2-3. Specifically, the ALJ found that Maginnis misrepresented the status of his teaching certificates and higher education on his employment application and resume. *Id.* at 3. The ALJ further found that these misrepresentations were conduct unbecoming an educator. *Ibid.* In reaching this decision, the ALJ explained that the “misstatements were significant even though there was no evidence they impacted his ability to serve as a physical education and health

teacher and athletic coordinator.” *Ibid.* The ALJ also reasoned that the submission of inaccurate, misleading or fraudulent information is a serious offense because “schools must rely on the trustworthiness of information and documents provided by teaching or administrative applicants” and “[s]chool employees are held to a high standard, and it is axiomatic that they must be expected to accurately report their own credentials.” *Ibid.* The ALJ concluded that summary decision was not appropriate with respect to penalty, however, and thus a hearing in this matter was held in-person on August 2, 2024 and the record closed on October 22, 2024. *Id.* at 3-4.

On November 4, 2024, the ALJ issued an Initial Decision in the case. *Ibid.* The ALJ found that the evidence supported that Maginnis committed conduct unbecoming a teacher warranting a six-month suspension of his certificates. *Id.* at 20-21. In so doing, the ALJ found as uncontested facts that Maginnis was employed by Califon as a non-tenured health and physical education teacher and athletic coordinator, and that he was subsequently terminated after he was accused of misrepresenting his credentials. *Id.* at 4. Further, the ALJ found that Maginnis did not hold a Teacher of Special Education certificate or a master’s degree from FDU. *Ibid.* The ALJ also found that when Maginnis applied to work at Califon, his resume indicated he graduated in May 2018 from FDU with a “Master’s in Art of Teaching – Major: Special Education & Supervision” and that he held certifications in physical education and special education. *Ibid.* The ALJ further found that Califon confirmed with FDU that Maginnis had not obtained the master’s degree he indicated, that Califon advised Maginnis of same, and that Califon advised the Board of same and provided supporting documents. *Id.* at 5-6.

The ALJ heard testimony from one witness, Luke Maginnis. *Id.* at 7-12. The ALJ found that while Maginnis testified “politely, professionally, and respectfully,” and was “sincere and well-motivated[,]” some aspects of his testimony were difficult to reconcile in that his explanations

were inconsistent and stained credulity. *Id.* at 13-14. Specifically, although Maginnis testified that he assumed he graduated based on the number of credits on his unofficial transcript, he never received a diploma, never inquired as to why he did not, and testified that it must have “slipped” his mind to inquiry why he didn’t receive a diploma. *Id.* at 13. Further, Maginnis’ claim that he did not participate in the graduation ceremony because he did not like to celebrate himself was “puzzling” when coupled with his failure to inquire about the status of his diploma and “call[ed] into question the veracity of his explanation. *Ibid.*

The ALJ also found it troubling that Maginnis wrote on his application that he earned a special education certificate when his transcript did not indicate he did earn the special education degree. *Ibid.* Further, Maginnis acknowledged that he was required to apply for his Teacher of Physical Education certificate and pass the required exams, and thus his professed assumption that similar steps were not required before obtaining his Teacher of Special Education certificate strains credulity. *Ibid.* The ALJ found that it was reasonable to expect a professional pursuing higher education and certification to ensure understanding of the prerequisites for certification that his profession requires. *Ibid.* For these reasons, the ALJ found that Maginnis’ conduct was unbecoming of an educator. *Id.* at 21.

In determining the appropriate penalty, the ALJ noted that the Board has revoked certificates when teachers purposefully altered proof of their credentials. *Id.* at 16. Further, the Board has taken action on an educator’s certificate where there was misrepresentation of credentials without any alteration of documents, including falsified or misrepresented information regardless of intent. *Id.* at 16-17. The ALJ also noted that any action on an educator’s certificate(s) would have prospective and not retrospective application. *Id.* at 19.

The ALJ found aggravating circumstances in this matter. *Id.* at 20. Specifically, Maginnis clearly declared that he had obtained a Teacher of Special Education certificate which was a false statement, for which he did not offer a reasonable explanation. *Ibid.* Further, it was concerning that he did not question why he did not receive a diploma. *Ibid.* Lastly, he seemed to blame others for not having explained the required steps for graduation or certification instead of independently researching them himself. *Ibid.*

The ALJ also found that Maginnis demonstrated mitigating circumstances. *Id.* at 19. Specifically, the misrepresentations did not alter his eligibility for the position at the school he sought. *Ibid.* Further, although irresponsible, the unofficial transcript he relied on was obtained from an official FDU source. *Ibid.* Additionally, Maginnis received excellent performance reviews and there was no evidence of any prior discipline. *Ibid.*

Although Maginnis argued that the misrepresentations were irrelevant because Califon did not rely upon them when employing him, the ALJ found that the act of misrepresentation is the focus and that the misrepresentations are significant because school employees are held to a high standard and must be expected to report accurately their own credentials. *Id.* at 20. As a result, the ALJ concluded a six-month suspension was appropriate. *Id.* at 20. The ALJ noted that because Maginnis did not fabricate a document to obtain employment for which he was not qualified, his misrepresentations did not impact his eligibility for employment. *Ibid.* However, he did misrepresent his credentials and failed to offer a reasonable explanation for doing so. *Ibid.* The ALJ reasoned that in weighing the aggravating and mitigating factors a six-month suspension was warranted in this matter. *Ibid.*

On November 18, 2024, Maginnis filed Exceptions. In his exceptions, Maginnis argues that given the nature of the allegations and the facts and credibility determinations made, no

unbecoming conduct can be found. (Maginnis Exceptions, p. 7). Further, Maginnis argues that the ALJ's determinations are unsupported by the evidence. *Id.* at 2. Maginnis also argues that the cases noted by the ALJ are distinguishable from the instant matter because they involved more egregious facts, involved misrepresentations as to prior criminal status and breach of NJASK security, and did not affect the morale or efficiency of the department. *Id.* at 4-6. Lastly, Maginnis argues that the six-month suspension is excessive and not proportionate to the facts as the misrepresentation regarding the special education credential "had zero connection to [Maginnis'] position at Califon wherein he was highly regarded with pristine employment evaluations." *Id.* at 7.

On November 18, 2024, the Deputy Attorney General (DAG) representing the Board also filed Exceptions which argue that Maginnis' conduct here warrants more than a six-month suspension. (Board Exceptions, p.4). The DAG argues that Maginnis knowingly misrepresenting his credentials on his employment application warrants a more significant penalty because accurate information regarding teachers' credentials is imperative for the orderly administration of our schools and the safety of school children. *Id.* at 6. Further, the DAG argues that the Board has taken serious disciplinary action when educators have falsified or misrepresented information on employment and certification applications, regardless of intent, and that it is incumbent upon the educator submitting the information to confirm the information is accurate. *Id.* at 9-10.

The DAG also argues that Maginnis' did not testify credibly regarding why he thought he had graduated from FDU and held a special education certificate. *Id.* at 13-17. Further, the DAG argues that the ALJ's ruling on the three mitigating factors are inconsistent with her prior findings on Maginnis' self-serving testimony which was "inconsistent," "puzzling," "strain[s] credulity," and "calls into question the veracity of his explanations" and are inconsistent with established case

precedent. *Id.* at 17. Lastly, the DAG argues that the ALJ incorrectly found that there was no evidence in the record that Califon had disciplined Maginnis because Califon had terminated him for his actions here in misrepresenting his credentials. *Id.* at 19.

On November 25, 2024, Maginnis filed Reply Exceptions, wherein he argues that the six-month suspension is not justified because Maginnis' conduct here does not establish conduct unbecoming. (Maginnis Reply Exceptions, p.2). Maginnis also argues that there are significant mitigating factors that require no suspension. *Ibid.* Specifically, he argues that the evidence is a single handwritten note filled out after he was already hired for a position that did not require a special education certificate. *Ibid.* He also argues that he was a highly successful teacher. *Id.* at 2-3. Further, he argues that he has had all positive evaluations since this incident, that he is a well-respected teacher contributing to a benefitting each school at which he has taught, he has had a long and unblemished career, and the record is devoid of any negative criteria for the Board to review. *Id.* at 3-4. Lastly, Maginnis requests that the Board "do the right thing and not suspend [his] certificate for any period of time." *Id.* at 5.

The Board must now determine whether to adopt, modify, or reject the Initial Decision in this matter. At its meeting of December 6, 2024, the Board reviewed the Initial Decision, Exceptions filed by both parties, and the Reply Exceptions filed by Maginnis. After full and fair consideration of the Initial Decision and submissions, the Board voted to adopt the Initial Decision, with modification as to penalty.

The Board, in reviewing the matter, does not find the ALJ's factual and credibility findings to be arbitrary or not based on sufficient credible evidence. The ALJ's credibility determinations were well supported and based on his first-hand observations. Accordingly, the Board is

constrained by the ALJ's findings of facts and credibility determinations in this matter. The Board does not find a sufficient basis by which it could overturn same. *N.J.A.C.* 1:1-18.6(b).

The Board's long-standing belief is that teachers must serve as role models for their students. "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. A "violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct" may provide the basis for a finding of unbecoming conduct. *Bound Brook Bd. of Educ. v. Ciripompa*, 228 N.J. 4, 14 (2017) (quoting *Karins v. City of Atlantic City*, 152 N.J. 532, 555 (1998)) (internal quotation marks omitted). The "elastic" concept of "conduct unbecoming" includes "conduct which adversely affects the morale or efficiency" of the public entity or "which has a tendency to destroy public respect for . . . [public] employees and confidence in the operation of [public] services." *In re Emmons*, 63 N.J. Super. 136, 140 (App. Div. 1960) (internal quotations and citations omitted); *see also Bound Brook Bd. of Educ.*, 228 N.J. at 13.

As noted above, after reviewing the record, the ALJ concluded that the Board sustained its burden of proof that Maginnis engaged in conduct unbecoming by demonstrating Maginnis' actions in misrepresenting his credentials on his resume and an employment application. In this case, Maginnis' conduct was certainly unacceptable and certainly unbecoming of a teacher. The Board agrees that Maginnis' conduct of misrepresenting his credentials by holding himself out as having obtained a master's degree in special education as well as a having obtained a certificate to teach special education when he did not obtain either the degree or the certificate to teach does not comport with "role model" behavior. The schools must be able to rely on educators to provide

accurate information as to their certification status and qualifications to teach our students. Thus, the Board agrees that Maginnis engaged in unbecoming conduct.

As to the penalty to be applied, the ALJ determined that a six-month suspension was appropriate for the conduct based on the weighing of the aggravating and mitigating factors she found. However, the Board disagrees that a six-month penalty is warranted in this matter and finds that a more substantial suspension is warranted. Through misrepresentations on his resume and employment application, Maginnis held himself out in a professional capacity as an educator capable of teaching special education when in fact he did not hold a Teacher of Students with Disabilities certificate. As a valid holder of two separate teaching certificates – a Teacher of Physical Education Certificate of Eligibility with Advanced Standing and a standard Teacher of Physical Education certificate – Maginnis knew the process to obtain certification and knew he did not complete that process for a Teacher of Students with Disabilities certificate. Additionally, he never completed a master's degree in special education although he held himself out as having obtained the degree. Although the instant matter does not involve the submission of an altered or fraudulent certificate, Maginnis' conduct in misrepresenting his eligibility to teach more than what he was actually certificated for is similarly egregious and warrants a significant penalty. Thus, the Board finds that a one-year suspension is warranted in this matter.

Accordingly, on December 6, 2024, the Board voted to adopt the Initial Decision with modification as to penalty and ordered a one-year suspension of Maginnis' certificates from the date of this Decision. On this 16th day of January 2025, the Board formally adopted its written decision to adopt, with modification as to penalty, the Initial Decision in this matter and it is therefore ORDERED that Luke Maginnis' Teacher of Physical Education Certificate of Eligibility with Advanced Standing and standard Teacher of Physical Education certificate are hereby

SUSPENDED for a period of one year, effective immediately. It is further ordered that Maginnis return his 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.