

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
SHAUNA E. MORGAN : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1314-190

At its meeting of May 22, 2014, the State Board of Examiners (Board) reviewed information it had received regarding Shauna E. Morgan. The Brick Township Municipal Court (Brick) and the Neptune School District (Neptune) provided information to the State Board of Examiners (Board) regarding Morgan. Brick notified the Board that Morgan pled guilty to Animal Cruelty in 2013. Neptune notified the Board that it had filed tenure charges against Morgan in May 2012 alleging unbecoming conduct “related to misrepresentation,” unbecoming conduct “related to permitting, assisting and/or conspiring with a party to fraudulently submit claims and use her healthcare coverage benefits with a social security number and birth date different from those supplied by Ms. Morgan on her enrollment form,” and conduct unbecoming a teaching staff member and other just cause “related to a pattern of unbecoming conduct.”

Specifically, Neptune alleged that when Morgan had enrolled in the district’s health benefits plan in 2002, she listed her husband’s name as Jason Morgan and provided a social security number and a birth date for him of May 6, 1957. Morgan’s husband’s name is Keith, not Jason, and the birth date and social security number she provided for “Jason” belonged to Keith. In 2008, Morgan sought to change the social security number and birth date on file for her husband because Horizon Blue Cross (Horizon) was declining claims for services that had been rendered to a Jason Morgan. The new birth date Morgan provided was October 23, 1958 and the social security number did not match the one she had initially used. When Neptune inquired about the matter, Morgan stated that she had inadvertently provided her brother-in-law’s social security

number and birth date when she first signed up for the health plan. She later blamed the issue on a computer mix-up and even later told a Horizon investigator that her husband “went by Keith or Jason.” At another point, Morgan told the Horizon investigator that her brother-in-law’s name was Jason and he had left town years ago. Morgan eventually told the Horizon investigators that she had lied during her initial conversation and that there was no brother-in-law. She offered no explanation as to why she had enrolled “Jason Morgan” on her policy.

Neptune also alleged that during the period between 2002 and 2008 Morgan allowed a person identified as “Jason” to have access to her health benefits and submitted claims on his behalf even though those claims contained a different birth date and social security number from those she supplied on her health benefits enrollment application. Horizon issued benefit payments for medical and prescription claims on behalf of this person in the amount of approximately \$877,295. Morgan regularly accompanied “Jason” to dialysis treatments from 2006 through 2008 and listed his birth date as October 23, 1958 and gave his social security number as one that was different from the one she originally put on her health benefits enrollment form.

Morgan currently holds a Teacher of the Handicapped certificate, and a Learning Disabilities Teacher-Consultant certificate. After reviewing the above information, at its May 22, 2014 meeting, the Board voted to issue an Order to Show Cause to Morgan as to why her certificate should not be revoked.

The Board sent Morgan the Order to Show Cause by regular and certified mail on May 27, 2014. The Order provided that Morgan must file an Answer within 30 days. Morgan responded on June 30, 2014. In her Answer, Morgan claimed that there is no factual or legal basis to credit the statements and information provided by her employer. (Answer, p. 2). Moreover she

submitted statements from her husband indicating that he made mistakes on the health insurance forms.

Since there were material facts in dispute, the Board transmitted the matter to the Office of Administrative Law (OAL) for hearing as a contested case on August 22, 2014. Morgan filed a motion to dismiss the order, which was denied on October 19, 2018. A plenary hearing was conducted on April 23, 2019 and the record closed on April 29, 2019. On May 23, 2019, Administrative Law Judge (ALJ) Jeff S. Masin issued an initial decision on the Order to Show Cause, concluding that Morgan engaged in conduct unbecoming a teacher, and finding no basis for mitigation of the penalty, ALJ Masin ordered that Morgan's certificates be revoked.

After reviewing the testimony and the record, ALJ Masin found that Morgan was convicted of animal abuse, in violation of N.J.S.A. 4:22-17A(1) and 17A(2). (Initial Decision, slip op. at 6.) Further, he found that Morgan's own testimony indicates that she was "part and parcel" of the neglect of the animal. He found that even if he accepted as true that Morgan was not present when her husband proffered the false story regarding the animal, she admitted that she invented the story with her husband. *Id.* At 7. ALJ Masin concluded that Morgan's conduct regarding the animal "hardly suggests" that the trust necessary to permit her to instruct children is warranted. *Id.* At 8.

Additionally, ALJ Masin found that as it relates to the insurance fraud issue, Morgan presented as someone "whose word and deed cannot be trusted." *Id.* at 8. He found that Morgan's testimony and evidence as to the verbal abuse and demeaning comments made to her by her late husband does not excuse her deception. *Id.*

After summarizing the relevant case law regarding appropriate standards of teacher conduct, ALJ Masin noted that the precedent of cases indicates that although revocation is commonly an appropriate remedy in fraud cases, it is also necessary to consider whether a sanction

must be alleviated due to facts presented by Morgan regarding the conduct. To that end, ALJ Masin reviewed Morgan's positive teaching evaluation, the fact that Morgan alleges her late husband was abusive and manipulative, and related testimony. Nevertheless, ALJ Masin found that in the end Morgan is responsible for her actions and there was insufficient evidence to permit a finding that Morgan's late husband's conduct prohibited her from exercising appropriate judgment. *Id.* at 11.

Morgan filed exceptions and the Deputy Attorney General (DAG) filed reply exceptions. Morgan's exceptions reiterated much of the information reviewed by ALJ Masin in the initial decision regarding her relationship with her husband and other personal matters.

In reply exceptions, the DAG argues that Morgan is not contending the allegations are untrue, but rather she should not be held accountable for her actions due to abuse by her husband and other personal circumstances. The DAG indicates that ALJ listened to the testimony regarding these matters and mitigating circumstances and found that despite those assertions, Morgan's behavior was inexcusable and constituted unbecoming conduct.

The Board must now determine whether to adopt, modify or reject the Initial Decision in this matter. At its meeting of June 28, 2019, the Board reviewed the Initial Decision. After full and fair consideration of the Decision, the Board voted to adopt the Initial Decision.

"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. There is no doubt that the ALJ is in the best position to render credibility determinations in this matter. Accordingly, the Board will defer to those findings. As noted above, after assessing

the evidence and credibility of the witnesses, ALJ Masin concluded that Morgan had “willfully participated in conduct unbecoming a certified educational professional.” *Id.* at 12.

The record established that Morgan was convicted of animal abuse; she allowed the dog’s sickness to fester for weeks; she knowingly provided false information to her employer and then created a story regarding a non-existent person so as to “obfuscate what she had done.” *Id.* ALJ Masin found “no basis for mitigating what is otherwise the proper sanction for one who has, importantly on separate occasions in 2008 and 2012, demonstrated that she lacks good character and honesty, and has willfully participated in conduct unbecoming a certified education professional.” *Id.* The Board therefore believes that the only appropriate penalty in this matter is the revocation of her certificate.

Accordingly, on June 28, 2019, the Board voted to adopt the Initial Decision and ordered the revocation of Morgan’s certificate. On this 1st day of August 2019, the Board formally adopted its written decision to adopt the Initial Decision in this matter and it is therefore ORDERED that Shauna E. Morgan’s Teacher of Handicapped and Learning Disabilities Teacher-Consultant certificates are hereby revoked, effective immediately. It is further ordered that Morgan 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, Acting 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.