

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
RICHARD WILDER : ORDER OF REVOCATION
_____ : DOCKET NO: 2122-148

At its meeting of March 4, 2022, the State Board of Examiners (Board) reviewed certified tenure charges from the Camden City Board of Education (Camden) against Wilder after it received notice from the Pennsylvania Department of Human Services (Pennsylvania) that Wilder was “indicated” for sexual abuse and/or exploitation of a child. Indicated means that sufficient evidence was obtained to support the conclusion that the alleged abuse occurred.

Pursuant to *N.J.S.A.* 18A:6-16, the Acting Commissioner of the Department of Education, Angelica Allen-McMillan, Ed.D., referred to the Board the tenure matter/final decision captioned *In the Matter of the Tenure Hearing between the School District of the City of Camden and Richard Wilder*, Dkt. No. 220-11/21 (Acting Commissioner’s Decision, January 20, 2022).

The Acting Commissioner found that the allegations in the Tenure Charges were admitted as Wilder failed to respond to the charges against him. The Acting Commissioner further found that Camden’s charge of unbecoming conduct was proven and warrants that Wilder be dismissed from his tenured position in Camden.

Wilder currently holds a Teacher of English Certificate. Upon review of the above information, at its April 7, 2022 meeting, the Board voted to issue Wilder an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Wilder the Order to Show Cause by regular and certified mail on April 11, 2022. The Order provided that Wilder had 30 days to respond. Wilder submitted an Answer wherein he indicated he was challenging the indicated findings out of Pennsylvania. *Id.* at ¶ 2. He provided no documentation regarding same. He states that he did not respond to the tenure

charges because he did not have legal representation and was not aware of the need to respond. His failure is not an admission, and he denies that the conduct has been proven. *Id.* at ¶ 4.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on September 21, 2022, the Board sent Wilder a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute as the decision in the tenure matter contains factual findings due to Wilder's failure to respond. Thus, Wilder was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder, as well as arguments with regard to the appropriate sanction in the event that the Board found just cause to take action against his certificate. It also explained that the Board would determine if Wilder's offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Wilder was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail card was returned with signature and the regular mail was not returned. Wilder did not file a response.

The threshold issue before the Board in this matter is whether Wilder's conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of January 26, 2023, the Board considered the allegations in the Order to Show Cause as well as Wilder's Answer. The Board determined that it was constrained by collateral estoppel to accept the facts as found in the Acting Commissioner's decision and therefore no material facts related to Wilder'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 Wilder's conduct, as set forth in the Order to Show Cause, provides just cause to act against his 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. In this case, the record established that Pennsylvania found sufficient evidence to support the conclusion that Wilder engaged in the abuse detailed in the Order to Show Cause. Wilder's argument that he did not respond to the tenure charges because he was unaware and did not have legal representation do not alter the facts before the Board as Wilder has not appealed or otherwise taken action to overturn the Acting Commissioner's decision. Accordingly, the appropriate response in this matter is revocation.

Accordingly, on January 26, 2023, the Board voted to revoke Richard Wilder's Teacher of English certificate. On this 3rd day of March 2023 that the Board voted to adopt its formal written decision and it is therefore ORDERED that Wilder's certificate is hereby revoked, effective immediately. It is further ORDERED that Wilder return his 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.

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.