

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF
EDUCATION

DEPARTMENT OF EDUCATION

VS.

PAUL J. WENZ

DECISION

May 27, 1992

HELD: Good cause existed for Revoca-
tion of teaching certificate.

Travel of the Case

The respondent in this matter is Paul Jan Wenz, a former Pawtucket school teacher, who holds a Rhode Island teaching certificate. The Department of Education, alleging that Mr. Wenz has violated the laws of this state by engaging in extensive illegal gambling activity, now seeks the revocation of Mr. Wenz's teaching certificate.

Findings of Facts

Detective Brendan Doherty, of the Rhode Island State Police, testified that in 1987 he conducted an investigation at a bar called "Jan's Place". This bar was owned and operated by Mr. Wenz. Detective Doherty observed Mr. Wenz taking bets at the bar while a television, connected to a satellite dish, showed horse races from Hialeah Race Track in Florida. Mr. Wenz was holding a clipboard and betting ledgers. Mr. Wenz was observed paying winning patrons at the bar. Later, when a search of Jan's Place was made pursuant to a warrant, Mr. Wenz attempted to dunk betting ledgers, which were made of water soluble paper, into a sink at the bar. Mr. Wenz's efforts were unsuccessful and the ledgers were seized by the police.

The department also proved that between December 1989 and January of 1990, Mr. Wenz was engaged in similar activity in Pawtucket at the Lilly Social Club and the Paul Brian Realty Office. This time Mr. Wenz was operating an extensive bookmaking operation. Mr. Wenz's activities included the training of an individual to work as a bookmaker. Mr. Wenz did not realize that

this individual was a State Police Informant who recorded conversations, including words from Mr. Wenz to the effect that he had been a bookmaker since he left the service.

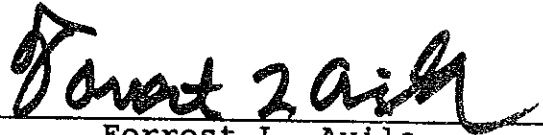
To further buttress its case the department placed into the record gambling convictions entered against Mr. Wenz and against corporations owned by Mr. Wenz. We find that these convictions may be used against Mr. Wenz. (Rhode Island Rule of Evidence 410)

Conclusions of Law

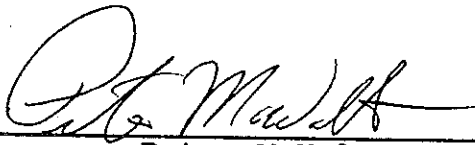
Mr. Wenz does not really attempt to deny the facts proved by the department. Instead he contends that the department did not prove that his misconduct interfered with his teaching. We must reject this argument. It is well established that a teaching certificate may be revoked for serious misconduct which is not related to classroom activities. (e.g. Hainline v. Bond, 824 P. 2d 959 (1992)). In any event a teacher is expected to act as an exemplar or "role model" and is expected to "...aim to implant and cultivate in the minds of all children committed to his care the principles of morality and virtue." (G.L. 16-12-13) Mr. Wenz's misconduct demonstrates that he has fallen far short in fulfilling these duties and that he has completely compromised his ability to serve as an exemplar to students. We therefore are constrained to revoke Mr. Wenz's teaching certificate.

Conclusion

The teaching certificate of Paul Jan Wenz is hereby annulled and revoked.



Forrest L. Avila
Hearing Officer



Peter McWalters
Commissioner of
Elementary and Secondary Education

Date: _____