

NY schools now can suspend teachers accused of sex abuse

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State Sen. Shelley Mayer, D-Yonkers, seen Feb. 14, pushed for reform of state regulations after a former Lakeland High teacher accused of raping a student was hired by another New York school district. JOHN MEORE/THE JOURNAL NEWS

Nineteen months ago, state Sen. Shelley Mayer, D-Yonkers, said it was unacceptable that a former Lakeland High teacher accused of raping one of his students could be hired across the river in the Monroe-Woodbury district, even though the state Education Department knew of the allegations.

That's all changed since Tax Watch reported on Alejandro Mendoza's hiring in Monroe-Woodbury in October 2023, not long after one of his former students filed a civil lawsuit against Mendoza and the Lakeland Central school district. Monroe-Woodbury, in Orange County, removed Mendoza from the classroom after hearing from Tax Watch.

In early May, the state Board of Regents approved a regulation that allows for the temporary suspension of a licensed educator, based on sworn statements, personal knowledge or other evidence that demonstrate threats to public health, safety or welfare and that require emergency action.

The emergency suspension would follow a confidential hearing on the accusations that a teacher was engaged in sexual misconduct or committed a "boundary violation" in their role as a teacher. The teacher would be suspended until a full adjudication process is complete.

Hudson Valley legislators sought action on teachers accused of sexual abuse

Mayer was among several state Hudson Valley state legislators who called for reform following revelations about Mendoza's employment in Monroe-Woodbury after the rape allegations were detailed in the Lakeland student's civil lawsuit.

Others included Assembly members Amy Paulin, D-New Rochelle, and Dana Levenberg, D-Ossining, and state Sen. Peter Harckham, D-Lewisboro.

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State Education Commissioner Betty Rosa, also aware of the Mendoza case, told Tax Watch then that she supported giving her department the power to suspend the licenses of educators accused of sexual misconduct and violence.

Now the Board of Regents, which sets statewide education policy, has acted.

“I want to thank Commissioner Rosa for heeding the Legislature’s call to begin to address this loophole which has allowed individuals with serious allegations of misconduct to remain in the classroom,” said Mayer, who chairs the state Senate Education Committee. “At the onset, I urged the state Education Department to design regulations that addressed the issues from this case. We have more to do but this is an excellent start.”

The new regulation was welcomed by Jessica Tanguay, managing director of community mobilization for Prevent Child Abuse New York.

“Our agency is very happy there is more protection for students in schools,” she said. “There were many examples of a teacher from School A moving to School B, with School B completely out of the loop. This will minimize the ripple effect of those licensed educators being able to hop around between schools.”

Accused NYS teachers had been allowed to keep license through long adjudication process

Until now, due process considerations for teachers accused of misconduct prohibited the state from suspending a teacher’s license — or even informing another district of the allegations — until the adjudication process was over, which could take years.

Action by the Board of Regents went one step further than a plan proposed in 2024 by state Sen. James Skoufis, D-Cornwall. Last year, he won Senate passage of a bill that would have required the Education Department to establish a confidential registry of individuals with pending moral character complaints so school districts could confirm whether prospective employees have outstanding complaints.

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That bill failed to come for a vote in the state Assembly.

Under the new regulation, a teacher will be given 45 days notice of the hearing, with the hearing officer providing a report within two weeks to the state education commissioner, who has seven days to decide whether the teacher’s license should be suspended.

NYSUT supports suspension reforms

New York State United Teachers, the teachers union that is a powerful force in state politics, had opposed any changes to the state’s strong tenure protections for public school teachers. That meant awaiting for adjudication in the state’s 3020a proceedings for disciplining a tenured teacher or a decision in state or local courts.

NYSUT spokesman Ben Amey said the union backed the new regulations.

“NYSUT has reviewed the regulations put forward by the Board of Regents and believe they strike the right balance in protecting students and protecting due process,” he said. “We continue to work with all stakeholders to ensure schools remain safe spaces for everyone.”

The regulation defines a “boundary violation” as behavior that is sexual in nature and results in student harm, including sexual physical contact, sexualized communications, displaying or transmitting sexual objects or

pornography to a student, or communications that reveal an intention to enter into a romantic relationship.

Tax Watch reporting on Lakeland, Monroe-Woodbury case led to push for reform

In Mendoza's case, Lakeland reported the allegations to the state Department of Education in April 2023. That came after an attorney for the student informed the district that the civil suit would be forthcoming, alleging Mendoza repeatedly sexually abused the student from 2015 to 2017 at Walter Panas High School.

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By September, Mendoza was teaching special education students in the Monroe- Woodbury district. He was promptly removed from the classroom after Monroe- Woodbury officials learned of the allegation from Tax Watch.

Board of Regents member Frances Wills, who represents Westchester, Rockland, Putnam, Dutchess and Orange counties on the board, welcomed the new regulations.

"There was a need for due process, but we needed to be able to protect children," said Wills, the retired superintendent of schools in the Briarcliff Manor and Putnam Valley school districts, who lives in Ossining. "We need to protect all kids."

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