

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSES OF : STATE BOARD OF EXAMINERS
LANCE ALVIN HUFF : ORDER OF REVOCATON

DOCKET NO. 306-06/95-117

At its meeting of June 15, 1995, the State Board of Examiners reviewed information received from the Hunterdon County Office of Criminal Case Management indicating that Lance Alvin Huff, Sr., pled guilty in February, 1992 to six counts of endangering the welfare of a minor in the third degree. Respondent was sentenced to the custody of the Commissioner of the Department of Corrections for four (4) years on each of the six counts, to be served concurrently. He was also fined. Currently, Respondent holds Teacher of Elementary School and Secondary School Teacher of Social Studies licenses in New Jersey.

At that meeting, the State Board of Examiners voted that said convictions constituted sufficient grounds for issuing an Order to Show Cause. The Order to Show Cause was mailed to Respondent by regular and certified mail on July 10, 1995. On July 31, 1995 an Answer to the Order was received from Dr. Leona F. Bard, licensed psychologist, on behalf of her client, Lance Alvin Huff.

In the interim, the State Board of Education decided two cases which impacted on the hearing process conducted by the State Board of Examiners. The first case is captioned, In the Matter of the Revocation of the Teaching Certificates of Philip Sheridan by the State Board of Examiners, Dkt. No. 185-4/92-07, decided by the State Board of Examiners July 16, 1992, rev'd and remanded, State Board of Education, September 7, 1994, Decision on Remand, June 15, 1995. The other was In the Matter of the Revocation of the Teaching Certificates of Charles Vitola by the State Board of Examiners, Dkt. No. 178-12/91-08, decided by the State Board of

Examiners July 16, 1992, rev'd and remanded, State Board of Education, November 2, 1994, Decision on Remand, September 1, 1995. Within these two cases, the State Board of Education determined that the State Board of Examiners was required to amend its regulations in order to permit it to hear directly legal matters in which material facts are not in dispute. During the pendency of the revisions to the State Board of Examiner' regulations regarding its hearing process, all such hearings were held in abeyance. Said regulatory amendments were finally codified in May of 1997.

Pursuant to the newly amended provisions of N.J.A.C. 6:11-3.6(a)1, on July 9, 1997 Respondent was sent a hearing notice by regular and certified mail. Said notice explained that, it appearing that no material facts were in dispute, Respondent was provided an opportunity to offer legal argument on the issue of whether his conviction constituted conduct unbecoming a teacher. The certified mail return receipt was signed and returned. The regular mail copy was returned with a hand-scrivened new address penned on the envelope. No response was received from, or on behalf of, Respondent as a result of that mailing. On August 15, 1997 and again on August 29, 1997 by mail sent to the new address, Respondent was advised by certified and regular mail that he was being provided an additional ten (10) days to file a response to the initial hearing notice. The certified mail receipt was signed both times. The regular mail copy was not returned. No response was received from, or on behalf of, Respondent.

The Answer filed on behalf of Respondent by Dr. Bard indicates that as of February 5, 1993, Respondent was in treatment for post traumatic stress disorder and depression resulting from the charges for which he was incarcerated. His counselor states that Respondent was teaching at the Alpha Public School at the time of his arrest and was also working as a photographer on the side. Among his jobs, she avers, was photographing young women for

model portfolios with the knowledge and approval of their parents and guardians. She claims his behavior was appropriate to the customary behavior of a photographer preparing a portfolio. However, she states, in his zeal to be successful and his lack of awareness of all the details involved in the business end of photography, he failed to obtain the necessary signatures from these parents and guardians. She submits it was this oversight which eventually led to his incarceration.

Dr. Bard further submits that Respondent has now been released from prison and is presently attempting to rebuild his life. She claims he is a motivated and diligent patient who has been devastated by his unexpected and unanticipated conviction and incarceration. She states that to revoke Respondent's teaching certificate would serve no purpose other than to punish him for something for which he has already been severely punished, especially in light of the fact that he has retired and is therefore no longer actively teaching.

At its meeting of November 20, 1997, the State Board of Examiners reviewed the charges against Respondent as well as his response to the Order to Show Cause. It determined that as no material facts related to his offenses were in contest, the matter could proceed to a determination as to whether the charges levied against Respondent in the Order to Show Cause constitute conduct unbecoming a license holder pursuant to N.J.A.C. 6:11-3.6(a)1.

By virtue of holding a teaching license, the respondent has been entrusted by the State with the care and custody of school children. Tenure Hearing of Sammons, 1972 S.L.D. 302, 321. The respondent has, however, by his conduct, violated that most sacred trust. He has impermissibly endangered minors. Such comportment is so foreign to the expectations of the deeds and actions of a professional certificate teacher - or of any person - that it raises doubts as to the continued performance of that person in the classroom. Tenure of Blasco, OAL Dkt. EDU

3842-79 (July 15, 1980), mod. Comm'r of Ed. (August 28, 1980), mod. St. Bd. of Ed. (Feb. 4, 1981). The public must be assured that the respondent will no longer be given access to children as a teacher, particularly in light of what the sentencing judge noted as Respondent's reluctance to accept responsibility for his acts and his failure to admit that they were wrong. The State Board of Examiners concluded that Respondent's remorselessness continued through his counseling with Dr. Bard, as evidenced in his preferring to assess his acts as a mere failure to secure consent forms from the parents and guardians of the minor females whom he photographed.

Accordingly, the State Board of Examiners finds respondent's conviction to be conduct unbecoming a license holder. In light of the gravity of his offense and the harm he has inflicted on his minor victims, he must be denied access to public school pupils. Therefore, the appropriate penalty for his unbecoming conduct is the revocation of Respondent's teaching licenses.

It is, therefore, ORDERED that Lance Alvin Huff's licenses as a Teacher of Elementary School and a Secondary School Teacher of Social Studies be revoked on this 20th day of November, 1997.

It is further ORDERED that Lance Alvin Huff return his licenses to the Secretary of the State Board of Examiners, Office of Licensing, CN 500, Trenton, NJ 08625-05003 within fourteen (14) days of receipt of this letter.

Secretary
State Board of Examiners

Date of Mailing: January 27, 1998

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A.
18A:6-28.

IBG:KHK:br:Huffrv