

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
RONALD BLATNIK : ORDER OF REVOCATION
_____ : DOCKET NO: 0506-189

At its meeting of December 8, 2005, the State Board of Examiners reviewed information received from the Office of Criminal History Review indicating that respondent Ronald Blatnik was convicted in 1987 of committing a lewd act. As a result of the conviction, Blatnik was disqualified from public service pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Blatnik currently holds a Teacher of Mathematics certificate, issued in August 2005.

Blatnik did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the State Board of Examiners voted to issue Blatnik an Order to Show Cause at its meeting of December 8, 2005.

The Board sent Blatnik the Order to Show Cause by regular and certified mail on January 6, 2006. The certified mail receipt was signed and returned. The regular mail copy was not returned. The Order provided that Blatnik must file an Answer within 30 days. As Blatnik did not file an Answer, on February 22, 2005, the Board sent him a second notice by regular and certified mail. Once again, Blatnik signed for the certified mail and the regular mail was not returned. Blatnik did not respond to the second notice.

The threshold issue before the State Board of Examiners in this matter, is whether Blatnik's disqualifying offense constitutes conduct unbecoming a certificate holder. Since Blatnik failed to respond to the Order to Show Cause, the State Board of Examiners considered only the allegations in the Order during the hearing process.

At its meeting of May 4, 2006, the State Board of Examiners reviewed the charges in the Order to Show Cause. After review of the Order, the Board of Examiners determined that no

material facts related to Blatnik's offense were in dispute since he never denied that he had committed the offense or had been disqualified because of it. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The State Board of Examiners must now determine whether Blatnik's disqualification, which was predicated on the same offense as was set forth in the Order to Show Cause, represents just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

In enacting the Criminal History Review statute, *N.J.S.A. 18A:6-7.1 et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger to them. Individuals convicted of a crime of lewdness fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing determination that teachers serve as role models for their students. "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.

In this case, Blatnik has a conviction for committing a lewd act. A teacher's behavior outside the classroom may be relevant in determining that person's qualifications and continued fitness to retain his certificate. *In re Grossman*, 127 *N.J. Super.* 13, 30 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). Moreover, unfitness to hold a position in a school system may be shown by one incident, if sufficiently flagrant. *Redcay v. State Bd. of Educ.*, 130 *N.J.L.* 369, 371 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). Accordingly, the State Board of Examiners finds that Blatnik's disqualification from service in the public schools of this State because of his conviction for committing a lewd act provides just cause to take action against his certificate.

That strong policy statement on the part of the Legislature set forth in *N.J.S.A.* 18A:6-7.1(b) also offers guidance to the State Board of Examiners as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature considers Blatnik's offense so significant, the State Board of Examiners believes that the only appropriate sanction in this case is the revocation of Blatnik's certificate.

Accordingly, pursuant to the Board of Examiners' vote, it is therefore ORDERED that Ronald Blatnik's Teacher of Mathematics certificate be revoked effective this 8th day of June 2006. It is further ORDERED that Blatnik return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

Robert R. Higgins, Acting Secretary
State Board of Examiners

Date of Mailing: JUNE 12, 2006

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