

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
DANIEL EDWARDS : ORDER OF REVOCATION
_____ : DOCKET NO: 0607-184

At its meeting of February 22, 2007, the State Board of Examiners reviewed information received from the Division of Criminal Justice indicating that on July 18, 2006, Daniel Edwards had pled guilty to charges of endangering the welfare of a child. On October 13, 2006, Edwards was sentenced to 364 days in prison, community supervision for life and ordered to provide a DNA sample. Edwards currently holds a Junior High School Teacher certificate, issued in May 1972 and a Principal certificate, issued in July 1981. Upon review of the above information, at its March 29, 2007 meeting, the State Board of Examiners voted to issue Edwards an Order to Show Cause.

The Board sent Edwards the Order to Show Cause by regular and certified mail on April 3, 2007. The Order provided that Edwards' Answer was due within 30 days. The certified mail receipt was signed and returned. The regular mail copy was not returned. Edwards did not file a response. Thereafter, the Board sent Edwards a second notice by regular and certified mail providing him an additional 15 days in which to file an Answer. The regular mail copy was not returned and the certified mail receipt was signed and returned. The notice explained that if he did not file a response, the allegations in the Order to Show Cause would be deemed admitted and the Board of Examiners would decide the matter based on the evidence before it. Once again, Edwards did not file an Answer. On October 5, 2007, the Board sent Edwards correspondence allowing him the opportunity to appear before the Board and/or submit documentation to present testimony regarding the penalty phase of his hearing. Edwards did not respond.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Edwards' guilty plea to endangering the welfare of a child constitutes conduct unbecoming a certificate holder. At its meeting of November 1, 2007, the State Board of Examiners reviewed the charges in the Order to Show Cause. Since there was no response, the Board of Examiners determined that no material facts related to Edwards' offense were in dispute since he had never denied that he had been convicted of the offense. 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 Edwards' offense as set forth in the Order to Show Cause, provides just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

The State Board of Examiners 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:9-17.5*. "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. Edwards' acts of endangering the welfare of a child are inexcusable for any individual, teacher or not.

The Commissioner has long held that teachers serve as role models for their students. Furthermore, 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). In this instance, Edwards has lost all right to lay claim to being a role model for students.

Accordingly, on November 1, 2007 the Board of Examiners voted to revoke Edwards' Junior High School Teacher and Principal certificates. On this 21st day of February 2008 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Daniel Edwards' certificates be effective immediately. It is further ORDERED that Edwards return his certificates to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing: FEBRUARY 27, 2008

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