

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
BRIAN CORCORAN : ORDER OF REVOCATION
_____ : DOCKET NO: 1213-101

At its meeting of September 21, 2012, the State Board of Examiners (Board) reviewed information regarding Brian Corcoran. In March 2010, Corcoran surrendered his teaching certificates with the force and effect of a revocation in Massachusetts after allegations arose that he had engaged in an inappropriate relationship with a female 8th grade student. In March 2012, the Pennsylvania Professional Standards and Practices Commission revoked Corcoran's teaching certificate there on the basis of the Massachusetts allegations. In New Jersey, Corcoran currently holds Teacher of Health and Physical Education and Teacher of Driver Education certificates, both issued in February 1979. Upon review of the above information, at its November 30, 2012 meeting, the Board voted to issue Corcoran an Order to Show Cause.

The Board sent Corcoran the Order to Show Cause by regular and certified mail on December 5, 2012. The certified mail receipt was signed and returned and the regular mail copy was not returned. The Order provided that Corcoran must file an Answer within 30 days. Corcoran did not file an Answer. Thereafter, on January 10, 2013, the Board sent Corcoran another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned. The regular mail copy was not returned. Corcoran did not respond to the second notice.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on January 31, 2013, the Board sent Corcoran a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Corcoran was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder as well as arguments with regard to the appropriate sanction in the event that the Board determined to take action against his certificates. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Corcoran's conduct warranted

action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Corcoran was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Corcoran did not file a response.

The threshold issue before the Board in this matter, therefore, is whether Corcoran's conduct and the revocation of his Massachusetts and Pennsylvania licenses constitute conduct unbecoming a certificate holder. Since Corcoran failed to respond to the Order to Show Cause or the hearing notice, at its meeting of April 12, 2013, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Corcoran's offense were in dispute since he never denied that his Massachusetts and Pennsylvania certificates had been revoked or that he had engaged in the conduct alleged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Corcoran's conduct and the revocation of his Massachusetts and Pennsylvania certificates, as set forth in the Order to Show Cause, provide just cause to act against his New Jersey certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

The Board 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. Corcoran's act of engaging in an inappropriate relationship with a student is inexcusable for any individual, teacher or not.

The Commissioner has long held that teachers serve as role models for their students. Clearly, a teacher who has engaged in an inappropriate relationship with a student and had his certificates revoked as a result cannot claim status as a role model to anyone. Corcoran's conduct and the revocation of his Massachusetts and Pennsylvania certificates therefore warrant the revocation of his New Jersey certificates.

Accordingly, on April 12, 2013, the Board voted to revoke Brian Corcoran's Teacher of health and Physical Education and Teacher of Driver Education certificates. On this 16th day of May 2013 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Corcoran's certificates be effective immediately. It is further ORDERED that Corcoran 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:

Appeals may be made to the Commissioner of Education pursuant to *N.J.S.A.* 18A:6-38.4.