

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
DENNIS FELTZ : ORDER OF REVOCATION
_____ : DOCKET NO: 1314-144

At its meeting of November 1, 2013, the State Board of Examiners (Board) reviewed information regarding Dennis Feltz. In April 2005 the South Carolina State Board of Education revoked Feltz's teaching certificates in that state after he pled guilty to Contributing to the Delinquency of a Minor. As a result of the guilty plea in South Carolina, Feltz surrendered his certificates in lieu of discipline in Pennsylvania in April 2013. In New Jersey, Feltz holds a Principal certificate, issued in October 1973. Upon review of the above information, at its December 6, 2013 meeting, the Board voted to issue Feltz an Order to Show Cause.

The Board sent Feltz the Order to Show Cause by regular and certified mail on December 11, 2013. The Order provided that Feltz had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Feltz did not respond. Thereafter, on January 27, 2014, the Board sent Feltz 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 and the regular copy was not returned. Feltz did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on February 14, 2014, the Board sent Feltz a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Feltz 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 Feltz's offenses warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Feltz 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, Feltz did not respond.

The threshold issue before the Board in this matter is whether Feltz's conduct and crime constitute conduct unbecoming a certificate holder. Since Feltz failed to respond to the Order to Show Cause or the hearing notice, at its meeting of May 22, 2014, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Feltz's offense were in dispute since he never denied that he had been convicted or that his South Carolina and Pennsylvania certificates had been revoked. 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 Feltz's conviction and the revocation of his South Carolina and Pennsylvania certificates, as set forth in the Order to Show Cause, provide just cause to act against his 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. 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this matter, Feltz has a conviction for an offense against children. That conviction and the revocation of his South Carolina and Pennsylvania certificates leave no doubt that he is unfit to be a teacher anywhere. His conduct demonstrates behavior that falls so far short of a role model that the Board believes that the only appropriate sanction in this case is the revocation of Feltz's New Jersey certificate.

Accordingly, on May 22, 2014, the Board voted to revoke Feltz's Principal certificate. On this 15th day of July 2014 the Board voted to adopt its formal written decision and it is therefore ORDERED

that the revocation of Dennis Feltz's certificate be effective immediately. It is further ORDERED that Feltz return his certificate 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 the provisions of *N.J.S.A.* 18A:6-38.4.

RRH:MZ:th