

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
CHARLES J. HALL : ORDER OF REVOCATION
_____ : DOCKET NO: 1415-143

At its meeting of December 12, 2014, the State Board of Examiners (Board) reviewed information received from the Criminal History Review Unit (CHRU) and the Essex County Prosecutor's Office (ECPO) regarding Charles J. Hall. On August 15, 2014, Hall pled guilty to Aggravated Assault-Bodily Injury and Endangering the Welfare of a Child-Duty. Hall was sentenced to three years' probation, ordered to perform community service and enroll in an anger management program. The CHRU notified the Board that, as a result of his conviction, Hall was also disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Hall currently holds a Substitute Credential, which expires in January 2019.

Hall did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of January 23, 2015 to issue Hall an Order to Show Cause why his credential should not be revoked.

The Board sent Hall the Order to Show Cause by regular and certified mail on February 2, 2015. The Order provided that Hall must file an Answer within 30 days. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Hall did not file a response. Thereafter, on March 10, 2015, the Board sent Hall another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Hall did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on March 27, 2015, the Board sent Hall a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Hall 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 found just cause to take action against his credential. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if his disqualifying offense warranted action against his credential. Thereupon, the Board would also determine the appropriate sanction, if any. Hall was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified nor regular mail copy was returned. Once again, Hall did not respond.

The threshold issue before the Board in this matter is whether Hall's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. Since Hall failed to respond to the Order to Show Cause or the hearing notice, at its meeting of May 21, 2015, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Hall's offense were in dispute since he never denied that he had been convicted of the offense charged and been subsequently disqualified. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(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 Hall's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against his credential pursuant to *N.J.A.C. 6A:9B-4.5*. The Board finds that they do.

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. Individuals convicted of crimes such as Aggravated Assault and Endangering the Welfare of a Child fall squarely within this category. The strong legislative policy statement is also in accord with the Commissioner's long-standing belief that teachers must 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. 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 instance, Hall's conviction for Aggravated Assault and Endangering the Welfare of a Child-Duty demonstrates behavior that falls far short of a role model.

The 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 Board 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 and the Commissioner consider Hall's offense so

significant, the Board believes that the only appropriate sanction in this case is the revocation of his credential.

Accordingly, on May 21, 2015, the Board voted to revoke Charles J. Hall's Substitute Credential. On this 26th day of June 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Hall's credential be effective immediately. It is further ORDERED that Hall return his credential 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

RRH/MZ/th

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.