

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
ISRAEL DELGADO : ORDER OF REVOCATON
_____ : DOCKET NO. 459 – 12/97-140

At its meeting of December 11, 1997 the State Board of Examiners reviewed information received from the Office of the Hudson County Prosecutor indicating that on November 22, 1996 Israel Delgado was convicted on charges of endangering the welfare of a child in the third degree. Mr. Delgado was sentenced to five (5) years probation, psychiatric and psychological counseling through probation, to have no contact with the victim or to be in the presence of children under the age of sixteen. In addition, Mt. Delgado was directed to forfeit his teaching position and is prohibited from holding any office in the public sector pursuant to N.J.S.A. 2C:51-2 et seq. Megan’s Law also applies to Mr. Delgado.

At that meeting, the State Board of Examiners voted that said conviction constituted grounds for issuing an Order to Show Cause. The Order to Show Cause was mailed to Mr. Delgado by regular and certified mail on or about December 23, 1997. The certified mail was returned unclaimed. The regular mail was not returned. Said Order providing that if Israel Delgado desired to file an Answer to said Order such answer must be filed within twenty (20) days. Twenty (20) days elapsed without an Answer having been filed by or on behalf of Israel Delgado.

Therefore, it is hereby ordered that said charges are deemed admitted for the purpose of this proceeding. By virtue of holding a teaching license, the respondent has been entrusted by the State with the care and custody of school children. Tenure Hearing of Sammons, 1972 S.L.D. 302, 321. The respondent has, however, by his conduct, violated that most sacred trust. He endangered a minor. Such comportment is so foreign to the expectations of the deeds and actions of a professional certificated teacher - or of any person - that it raises doubts as to the continued performance of that person in the classroom. Tenure of Blasco, OAL Dkt. EDU 3842-79 (July 15, 1980), mod. Comm’r of Ed. (August 28, 1980), mod. St. Bd. of Ed. (Feb. 4, 1981). The public must be assured that the respondent will no longer

be given access to children as a teacher. The Court, had full knowledge of the facts of this case, ordered Mr. Delgado removed from the teaching profession. Additionally he is prohibited from holding any office in the public sector and to have no contact with children under the age of sixteen. Clearly, the Court believed that the pupils of this State required protection from this man. See, e.g., In the Matter of the Tenure Hearing of Frederick J. Nittle, Board of Education of the Borough of Roselle Park, Union County, 1974 S.L.D. 1269, aff'd State Board of Education, 1975 S.L.D. 1111. Further, while the Court was plainly unaware that it had no authority to order the forfeiture of a certificate, see, N.J.S.A. 18A: 6-38 and N.J.A.C. 6:11-3.6, the State Board of Examiners, by means of its Order to Show Cause issued to Mr. Delgado, is seeking to attain the Court's determination that he not be permitted access to children in his role as a teacher.

It is, therefore ORDERED that the conviction of Israel Delgado for endangering the welfare of a child constitutes conduct unbecoming a license holder sufficient to warrant revocation of his licensure. According, Israel Delgado's Teacher of Elementary School Certificate of Eligibility with Advanced Standing is hereby revoked on this 2nd day of April, 1998.

It is, therefore, further ORDERED that Israel Delgado return his license to the Secretary of the State Board of Examiners, Office of Licensing, CN 500, Trenton, NJ 08625-0500 within fourteen (14) days of receipt of this letter.

Ida B. Graham, Secretary
State Board of Examiners

Date of Mailing: April 29, 1998

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