

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF: STATE BOARD OF EXAMINERS
ROBERT HALL : ORDER OF REVOCATION
_____: DOCKET NO: 527-06/99-214

At its meeting of June 17, 1999, the State Board of Examiners reviewed information the Superintendent of the North Hunterdon-Voorhees Regional High School District had submitted pursuant to N.J.A.C. 6:11-3.5 regarding Robert Hall. The Hunterdon County prosecutor had charged Hall with aggravated sexual assault in the 1st degree, endangering the welfare of a child in the 2nd degree and sexual assault in the 2nd degree, contrary to the provisions of N.J.S.A. 2C:14-2a(2)(b), 2C:24-4a and 2C:14-2a(3)(b), respectively. Hall pled guilty and was sentenced to five years' incarceration and fined \$405. As part of his plea agreement, Hall also agreed to forfeit his teaching certificates and to be permanently barred from the teaching profession. Upon review of the above information at that June meeting, the State Board of Examiners voted to issue an Order to Show Cause to Hall. Hall currently holds Supervisor, Principal/Supervisor, Teacher of Driver Education and Teacher of Health and Physical Education certificates.

The Order to Show Cause was mailed to Hall by regular and certified mail on July 29, 1999. The Order provided that an Answer to the Order must be filed within 20 days. Hall responded to the Order on August 6, 1999.

In his Answer, Hall admitted every allegation of the Order to Show cause. In addition, Hall stated that he did not "contest the decision from the NJ State Board of Examiners and agree to the suspension of my teaching certificates as of 8/7/99." (Answer, ¶7).

Thereafter, pursuant to N.J.A.C. 6:11-3.6(a)1, on September 24, 1999, a hearing notice was mailed by regular and certified mail to Hall. The notice explained that, since it appeared no material facts were in dispute, respondent had 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. It also explained that upon review of the charges against him and the legal arguments tendered in his

defense, the State Board of Examiners would determine if his disqualifying offense warranted action against his certificate. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Hall did not file a response. Thus, on December 23, 1999, the Board advised Hall by regular and certified mail that he had an additional ten days to respond to the hearing notice. The certified mail return receipt card was signed and returned. The regular mail copy was not returned. Hall did not respond to this second notice either.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Hall's conviction constitutes conduct unbecoming a certificate holder. Since Hall did not respond to the hearing notice, the State Board of Examiners considered his Answer as the only responsive pleading in the hearing process.

At its meeting of April 6, 2000, the State Board of Examiners reviewed the charges and papers filed by respondent in response to the Order to Show Cause. After review of the response, the Board of Examiners determined that no material facts related to respondent's offense were in dispute since Hall had admitted all of the allegations in the Order to Show Cause. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. N.J.A.C. 6:11-3.6(a)1.

The State Board of Examiners must now determine whether Hall's conviction, represents just cause to act against his certificates pursuant to N.J.A.C. 6:11-3.6(a)1. We find 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. 6:11-3.4. Teachers of the State of New Jersey "are professional employees to whom the people have entrusted the care and custody of ... school children." Tenure of Sammons, 1972 S.L.D. 302, 321. There can be no argument that Hall has, by his inappropriate conduct, violated that most sacred trust. In fact, the court deemed it imperative that Hall should be removed from society as a whole for an extended period. Moreover, although only the Board of Examiners has the administrative authority to revoke or suspend a teaching certificate, N.J.A.C. 6:11-3.4, Hall himself has agreed to forfeit his certificates and be permanently barred from teaching in a school setting as part of his plea agreement.

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 (S. Ct. 1943), aff'd. 131 N.J.L. 326 (E & A 1944). Thus, the fact that Hall had an otherwise unblemished career is irrelevant.

The New Jersey State Board of Examiners has a responsibility to protect New Jersey's school children from individuals who, like Hall, obviously cannot discern what is proper behavior. The only way to fulfill that obligation is to ensure that, as a teacher, he will never set foot in a New Jersey classroom again.

Accordingly, it is therefore ORDERED that Robert Hall's Supervisor, Principal/Supervisor, Teacher of Driver Education and Teacher of Health and Physical Education certificates be revoked on this 6th day of April, 2000. It is further ORDERED that Hall return his certificates to the Secretary of the State Board of Examiners, Office of Licensing, CN 500, Trenton, NJ 08625-0500 within fifteen (15) days of receipt of this decision.

Secretary
State Board of Examiners

Date of Mailing: September 26, 2000

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

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