

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
LEONARD MOORE : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0304-290

At its meeting of June 10, 2004, the State Board of Examiners reviewed information received from the Division of Youth and Family Services (DYFS) substantiating charges that Leonard Moore had abused/neglected a student. Moore had allegedly engaged in a sexual relationship with the student and served and drank alcohol in her presence. Moore currently holds a Teacher of Social Studies Certificate of Eligibility, issued in August 2000. Upon review of the above information, at its June 10, 2004, meeting, the State Board of Examiners voted to issue Moore an Order to Show Cause.

The Board sent Moore the Order to Show Cause by regular and certified mail on July 21, 2004. The Order provided that Moore's Answer was due within 30 days. Moore signed and returned the certified mail receipt. The regular mail copy was not returned. Moore did not file a response. The Board of Examiners sent him a second notice on December 14, 2004, by regular and certified mail. Moore signed and returned the certified mail receipt card and the regular mail was not returned. Once again, Moore did not respond to the Order to Show Cause.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Moore's conduct, as described in the charges DYFS had substantiated, constitutes conduct unbecoming a certificate holder. Since Moore failed to respond to the Order to Show Cause, the State Board of Examiners had no responsive pleading to consider in the hearing process.

At its meeting of February 24, 2005, the State Board of Examiners reviewed the charges in the Order to Show Cause. Since there was no response, the Board of Examiners determined that no material facts related to Moore's offense were in dispute since he had never denied that he had committed the conduct. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding. *N.J.A.C. 6A:9-17.7(h)*.

The State Board of Examiners must now determine whether Moore's conduct, which was predicated on the same offense as was set forth in the Order to Show Cause, represents just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds 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. 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.

The Commissioner has long held that teachers serve as role models for their students. 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 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Moore's acts of drinking and sexual contact with a student are inexcusable for any individual, teacher or not. Even if Moore were an exceptional teacher in the classroom, he has not demonstrated like behavior outside that arena. Consequently, to fulfill its obligation to the schoolchildren of New Jersey, the State Board of Examiners must revoke Moore's teaching certificate.

Accordingly, it is therefore ORDERED that Leonard Moore's Teacher of Social Studies Certificate of Eligibility be revoked on this 24th day of February, 2005. It is further ORDERED that Moore return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

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Michael K. Klavon, Acting Secretary  
State Board of Examiners

Date of Mailing: MARCH 22, 2005

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