

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
PETER VANECHANOS : ORDER OF REVOCATION
_____ : DOCKET NO: 0405-208

At its meeting of June 12, 2003, the State Board of Examiners reviewed information received from the Division of Criminal Justice indicating that on January 30, 2003, Peter Vanechanos had pled guilty to a charge of possession of child pornography. On March 21, 2003, Vanechanos was sentenced to three years' probation with random alcohol and drug testing. The court also ordered him not to have any contact with any victim meaning no use of any computer for the use of child pornography or for any illegal purpose, to submit to psychological counseling and to forfeit his teaching certificate. Vanechanos currently holds a Teacher of Elementary School Certificate of Eligibility With Advanced Standing, issued in July 1999, a Teacher of Social Studies Certificate of Eligibility With Advanced Standing, issued in July 1999, a Teacher of Elementary School certificate, issued in July 2000 and a Teacher of Social Studies certificate, issued in July 2000. Upon review of the above information, at its June 12, 2003, meeting, the State Board of Examiners voted to issue Vanechanos an Order to Show Cause.

The Board sent Vanechanos the Order to Show Cause by regular and certified mail on August 10, 2004. The Order provided that Vanechanos' Answer was due within 30 days. The regular mail copy was returned and the certified mail return receipt card was signed and returned. Vanechanos did not respond to the Order to Show Cause. The Board of Examiners sent him a second notice on November 22, 2004, by regular and certified mail. Neither copy was returned, although the Office of Licensure and Credentials does not have a signed return card for the certified mail. Once again, Vanechanos did not respond to the Order to Show Cause.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Vanechanos' guilty plea to possession of child pornography constitutes conduct unbecoming a certificate holder. Since Vanechanos 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 Vanechanos' offense were in dispute as Vanechanos 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(c)*.

The State Board of Examiners must now determine whether Vanechanos' conduct and conviction, as enumerated in the Order to Show Cause, represent just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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, Vanechanos' possession of child pornography, for which he was convicted, is inexcusable for any individual, teacher or not. Even if Vanechanos 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 Vanechanos' teaching certificates.

Accordingly, it is therefore ORDERED that Peter Vanechanos' Teacher of Elementary School Certificate of Eligibility With Advanced Standing, Teacher of Social Studies Certificate of Eligibility With Advanced Standing, Teacher of Elementary School certificate and Teacher of Social Studies certificate be revoked on this 24th day of February, 2005. It is further ORDERED that Vanechanos' return his certificates 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.

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.