

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
NORMAN DELLAS : ORDER OF REVOCATION
_____ : DOCKET NO: 0506-216

At its meeting of March 2, 2006, the State Board of Examiners reviewed information it had received from the Cape May County Prosecutor's Office indicating that on March 3, 2005, Norman Dellas had pled guilty to charges of endangering the welfare of a child. On July 1, 2005, Dellas was sentenced to five years' probation and fined. The court also ordered Dellas to be subject to community supervision for life under Megan's Law. Dellas was also required to undergo DNA testing and was to have no contact with the victim or the victim's family. Dellas currently holds a Teacher of Mathematics certificate, issued in May 1988. Upon review of the above information, at its May 4, 2006, meeting, the State Board of Examiners voted to issue Dellas an Order to Show Cause.

After some difficulty in serving the order on Dellas, the Board sent him the Order to Show Cause by regular and certified mail on February 8, 2007. The Order provided that Dellas' Answer was due within 30 days. Dellas filed his response on March 8, 2007. In that Answer, Dellas admitted that he pled guilty to endangering the welfare of a child. (Answer, ¶ 4). Dellas denied that there was a sufficient basis to consider the suspension or revocation of his certificate. (Answer, ¶ 5). He also added that he only pled guilty to possessing a computer in his house that contained an inappropriate photograph of a minor girl. (Answer, ¶ 4). He claimed that he did not take the picture. (Answer, ¶ 3). He also stated that he did not intentionally show the child the photograph. (Answer, ¶ 4).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on March 29, 2007, the Board of Examiners sent Dellas a hearing notice by regular and certified mail. The notice explained that since it appeared no material facts were in dispute, Dellas 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. 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 Dellas' offense warranted action against his certificate. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Dellas responded to the Hearing Notice on April 26, 2007. In that response, Dellas claimed that he had appealed to the Governor of New Jersey for an executive review of his case. (Hearing Response, p. 1). Dellas added that he could not use his certificate for a period of five years "due to the conditions of my probation." (Hearing Response, p. 1).

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Dellas' guilty plea to endangering the welfare of a child constitutes conduct unbecoming a certificate holder. At its meeting of June 7, 2007, the State Board of Examiners reviewed the charges and papers Dellas filed in response to the Order to Show Cause. After review of Dellas' submissions, the Board of Examiners determined that no material facts related to his offense were in dispute since he admitted that he had pled guilty to the offense charged and had been sentenced accordingly. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*.

The State Board of Examiners must now determine whether Dellas' offense as set forth in the Order to Show Cause, provides just cause to act against his certificate 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. Dellas' act of endangering the welfare of a child is

inexcusable for any individual, teacher or not. The court recognized this when it ordered him to submit to community supervision for life.

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, Dellas' behavior and his refusal to take any responsibility for his actions falls far short of that expected of a role model for students.

Accordingly, on June 7, 2007, the Board of Examiners voted to revoke Dellas' Teacher of Mathematics certificate. On this 19th day of July 2007 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Norman Dellas' certificate be effective immediately. It is further ORDERED that Dellas return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing: JULY 20th, 2007

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