

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
BRIAN COAR : ORDER OF REVOCATION
_____ : DOCKET NO: 0809-173

At its meeting of June 22, 2009, the State Board of Examiners reviewed information from the Office of Criminal History Review indicating that in November 2008, Brian Coar entered a conditional guilty plea to Endangering the Welfare of a Child. As part of his plea, Coar also agreed to forfeit his teaching certificates as a condition of his acceptance into a Pre-Trial Intervention (PTI) program. Coar currently holds a Teacher of Mathematics Certificate of Eligibility With Advanced Standing, issued in August 2006 and a Teacher of Mathematics certificate, issued in September 2007. Upon review of the above information, at its July 28, 2009 meeting, the State Board of Examiners voted to issue Coar an Order to Show Cause.

The Board sent Coar the Order to Show Cause by regular and certified mail on August 13, 2009. The Order provided that Coar's Answer was due within 30 days. Neither the certified mail copy nor the regular mail was returned. Coar did not file a response. Thereafter, on October 14, 2009, the Board sent Coar another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular mail copy was not returned. Coar did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on November 16, 2009, the Board sent Coar a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Coar 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 his conviction warranted action against his certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Coar was also provided the opportunity to appear before the Board to testify on the sanction issue. The certified mail copy was returned as unclaimed but the regular mail copy was not returned. Coar did not file a response.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Coar's entry into PTI with the condition that he forfeit his teaching certificates constitutes conduct unbecoming a certificate holder. Since Coar failed to respond to the Order to Show Cause or the hearing notice, at its meeting of March 25, 2010, the State Board of Examiners considered only the allegations in the Order to Show Cause. The Board of Examiners determined that no material facts related to Coar's offense were in dispute since he never denied 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)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The State Board of Examiners must now determine whether Coar's entry into PTI and the court-ordered forfeiture of his certificates, as set forth 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.

Moreover, 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Coar has been ordered to forfeit his teaching certificates as a condition of his entry into PTI. Furthermore, he had to enter a conditional guilty plea to Endangering the Welfare of a Child.

Coar’s court-ordered forfeiture and PTI entry warrant a decision of revocation. The Commissioner has long held that teachers serve as role models for their students. Clearly, Coar cannot claim status as a role model to anyone.

Accordingly, on March 25, 2010, the Board of Examiners voted to revoke Brian Coar’s Teacher of Mathematics Certificate of Eligibility With Advanced Standing and his Teacher of Mathematics certificate. On this 29th day of April 2010 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Coar’s certificates be effective immediately.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to *N.J.S.A.* 18A:6-38.4.

RRH:MZ:th