

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
YORGO PAPADAKIS : ORDER OF REVOCATION
_____ : DOCKET NO: 0910-123

At its meeting of October 22, 2009, the State Board of Examiners reviewed information received from the Eastern Camden County Regional School District and the Camden County Prosecutor's Office indicating that in February 2009, Yorgo Papadakis pled guilty to Harassment after being charged with Endangering the Welfare of a Child and was sentenced to one year of probation. Papadakis currently holds a Teacher of Music Certificate of Eligibility With Advanced Standing, issued in February 2004. Upon review of the above information, at its December 2, 2009 meeting, the State Board of Examiners voted to issue Papadakis an Order to Show Cause.¹

The Board sent Papadakis the Order to Show Cause by regular and certified mail on December 4, 2009. The Order provided that Papadakis' Answer was due within 30 days. The certified mail was returned as unclaimed but the regular mail copy was not returned. Papadakis did not file a response. Thereafter, on January 14, 2010, the Board sent Papadakis another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. Papadakis responded on January 25, 2010. In that Answer, Papadakis stated that although his conviction was for a disorderly persons offense, he had forfeited his public office and would not be contesting the Order to Show Cause. (Answer, p. 1.)

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on February 10, 2010, the Board of Examiners sent Papadakis a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Papadakis 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 as well as arguments with regard to the appropriate sanction

¹ At the time the Board of Examiners voted to issue Papadakis an Order to Show Cause he also held a Non-Citizen Standard Teacher of Music certificate. That certificate expired in March 2010.

in the event that the Board determined to take action against his certificate. 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 Papadakis' offense warranted action against his certificate. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Papadakis was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail was not returned. Papadakis did not respond to the notice.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Papadakis' conviction constitutes conduct unbecoming a certificate holder. At its meeting of June 10, 2010, the State Board of Examiners reviewed the charges and papers Papadakis filed in response to the Order to Show Cause. The Board of Examiners determined that no material facts related to Papadakis' offense were in dispute since he did not contest the allegations in the Order to Show Cause and did not deny 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 Papadakis' conviction, as set forth in the Order to Show Cause, represents 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. Papadakis' act of Harassment was serious enough that the court ordered him to forfeit his public school employment as part of his plea agreement. The Commissioner has long held that teachers serve as role models for their students. Clearly, Papadakis cannot claim status as a role model to anyone.

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, Papadakis' conviction for Harassment, demonstrates behavior that warrants revocation.

Accordingly, on June 10, 2010 the Board of Examiners voted to revoke Papadakis' Teacher of Music Certificate of Eligibility With Advanced Standing. On this 22nd day of July 2010 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Yorgo Papadakis' certificate be effective immediately. It is further ORDERED that Papadakis return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, P.O. 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:

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

RRH:MZ:th