

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
GREGORY STAUFFER : ORDER OF REVOCATION
_____ : DOCKET NO: 0405-112

At its meeting of December 13, 2012, the State Board of Examiners (Board) reviewed information it had received from the staff of the Office of Licensing indicating that on September 27, 2004, Gregory Stauffer pled guilty to Endangering the Welfare of a Child. On February 4, 2005, Stauffer was sentenced to three years' probation, community supervision for life and ordered to comply with all provisions of Megan's Law. Stauffer currently holds a Teacher of Music Certificate of Eligibility With Advanced Standing, issued in July 2002 and a Teacher of Music certificate, issued in June 2003. The Board voted to issue Stauffer an Order to Show Cause at its meeting of January 25, 2013.

The Board sent Stauffer the Order to Show Cause by regular and certified mail on January 30, 2013. The Order provided that Stauffer must file an Answer within 30 days. The certified mail receipt was signed and returned and the regular mail copy was not returned. Stauffer did not file a response. Thereafter, on March 7, 2013, the Board sent Stauffer another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as "Unclaimed." The regular mail copy was not returned. Stauffer did not respond to the second notice.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on March 26, 2013, the Board sent Stauffer a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Stauffer 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 in the event that the Board determined to take action against his certificates. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Stauffer's conduct warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if

any. Stauffer 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 copy was not returned. Once again, Stauffer did not file a response.

The threshold issue before the Board in this matter is whether Stauffer's conviction constitutes conduct unbecoming a certificate holder. Since Stauffer failed to respond to the Order to Show Cause or the Hearing Notice, at its meeting of July 25, 2013, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Stauffer's offense were in dispute since he never denied that he had been convicted of the offense charged and sentenced accordingly. Thus, the Board 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 Board must now determine whether Stauffer's conviction, as set forth in the Order to Show Cause, provides just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

The Board 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. Stauffer's act of Endangering the Welfare of a Child is inexcusable for any individual, teacher or not.

The Commissioner has long held that teachers serve as role models for their students. Clearly, a teacher convicted of Endangering the Welfare of a Child cannot claim status as a role model to anyone. The Board therefore believes that the only appropriate sanction in this case is the revocation of Stauffer's certificates. *In the Matter of the Certificates of Kevin Jordan*, Dkt. No. A-0155-08T3 (App. Div. October 5, 2009) (Unpublished Opinion).

Accordingly, on July 25, 2013, the Board voted to revoke Stauffer's Teacher of Music Certificate of Eligibility With Advanced Standing and his Teacher of Music certificate. On this 20th day of September 2013 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Gregory Stauffer's certificates be effective immediately. It is further ORDERED that Stauffer return his certificates 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