

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
MATTHEW HOFFMAN : ORDER OF REVOCATION
_____ : DOCKET NO: 1617-261

At its meeting of June 15, 2017, the State Board of Examiners (Board) reviewed information it had received regarding Matthew Hoffman. On September 14, 2009, plaintiff John Doe filed a complaint against Hoffman and Hopewell Valley Regional School District alleging that Hoffman, a teacher in the district, had sexually abused him during the 1980s. After the trial, the jury returned a verdict finding that Hoffman sexually abused Doe from approximately 1983 through 1988. The district was not held liable for the abuse. *John Doe and Jane Doe v. Hopewell Valley Regional School District and Matthew Hoffman*, Dkt. No. A-0142-15T1 (App. Div. 2017) (Unpublished Decision).

Hoffman currently holds Teacher of Elementary School, Teacher of Mathematics and Principal certificates. After reviewing the above information, at its July 27, 2017 meeting, the Board voted to issue an Order to Show Cause to Hoffman as to why his certificates should not be revoked. The Order was predicated on the conduct that had been proven in the civil hearing.

The Board sent Hoffman the Order to Show Cause by regular and certified mail on July 31, 2017. The Order provided that Hoffman's Answer was due within 30 days. After several issues regarding proper service and a request for an Answer that specifically addressed the issues in the Order to Show Cause, Hoffman filed his Answer on April 23, 2018.

In that Answer, Hoffman acknowledged that the civil case was "completed" and noted that there was "a very low level of proof needed." (Answer, ¶ 3). He added that it was a "he said, she said" case and that he denied the complaint throughout the proceeding. (Answer, ¶ 3). Hoffman stated that "there was no physical or eyewitness testimony presented to prove the

claims on the civil complaint.” (Answer, ¶ 3). He also claimed that “this was not a case where ‘reasonable doubt’ was considered.” (Answer, ¶ 4). Finally, Hoffman argued that the Board should consider that the level of evidence was not strong and that he had denied the complaint. (Answer, ¶ 5).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on May 30, 2018, the Board sent Hoffman a hearing notice by regular and certified mail. The notice explained that there appeared to be no material facts in dispute. Thus, Hoffman was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause provided just cause to take action against his certificates 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 Hoffman’s offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Hoffman was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Hoffman filed a written response on July 2, 2018. Hoffman did not ask to appear before the Board.

In his Hearing Response, Hoffman claimed that the Board should carefully consider certain factors when judging the case: the case was over 30 years old; it was a “he said, he said” matter; there was no eyewitness or physical evidence presented to support the allegations; it was a civil case with a low burden of proof; reasonable doubt was irrelevant in the case; the length of the jury deliberation clearly showed concern about the legitimacy of the evidence and testimony the plaintiff presented; the plaintiff admitted in court that all he wanted was to end Hoffman’s career; and the plaintiff claimed that some of the abuse occurred in a part of the building that had

not been constructed at the time. (Hearing Response, p. 1). Hoffman noted that the plaintiff's motives were questionable and that even though the case had an extremely low burden of proof, "the jury had a difficult time coming to a verdict." (Hearing Response, p. 1). He therefore argued that it "would be unfair" to take action against his licenses based on the outcome of a civil case. (Hearing Response, p. 1).

The threshold issue before the Board in this matter, therefore, is whether Hoffman's conduct constitutes conduct unbecoming a certificate holder. At its meeting of November 1, 2018, the Board considered the allegations in the Order to Show Cause as well as Hoffman's Answer and Hearing Response. Notably, while Hoffman questioned the validity of the jury's determination, he did not directly deny the underlying conduct, nor did he deny that, after a full trial, the jury in the civil matter had ruled against him based on John Doe's claims of sexual abuse. The Board therefore determined that no material facts related to Hoffman's offense were in dispute and determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.6(h)*.

The Board must now determine whether Hoffman's conduct, as set forth in the Order to Show Cause and proven in the civil proceeding, represents just cause to act against his certificates pursuant to *N.J.A.C. 6A:9B-4.5*. 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:9B-4.4*. "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, 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). In this case, the record established that Hoffman was afforded the opportunity for a full trial when John Doe alleged he had been sexually abused by Hoffman. After considering all the evidence presented in that trial, the jury found Hoffman had sexually abused John Doe, beginning after Doe's sixth grade year, from approximately 1983 through 1988. Hoffman's conduct is unarguably behavior that falls far short of a role model. The Board therefore concludes that the only appropriate response to Hoffman's breach is the revocation of his certificates.

Accordingly, on November 1, 2018, the Board voted to revoke Matthew Hoffman's Teacher of Elementary School, Teacher of Mathematics and Principal certificates. On this 17th day of December, 2018 the Board voted to adopt its formal written decision and it is therefore ORDERED that Hoffman's certificates are hereby revoked, effective immediately. It is further ORDERED that Hoffman return his certificates to the Secretary of the State Board of Examiners, Office of Certification and Induction, 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

RRH/MZ/th

Date of Mailing:
via certified and regular mail

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