

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
ROBERT D. DORN : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-216

At its meeting of April 13, 2018, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC), the North Carolina State Board of Education and the Pennsylvania Professional Standards and Practices Commission had forwarded regarding Robert D. Dorn. NASDTEC provided notice that, on March 27, 2015, Dorn surrendered his North Carolina teaching certificate after he admitted to allegations that he viewed pornography on his school computer during instructional time while students were present in the classroom. Based upon the North Carolina action, Pennsylvania revoked Dorn's certificate there on February 9, 2017.

In New Jersey, Dorn currently holds a Teacher of Industrial Arts certificate. Upon review of the above information, at its May 24, 2018 meeting, the Board voted to issue Dorn an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Dorn the Order to Show Cause by regular and certified mail on May 29, 2018. The Order provided that Dorn had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Dorn did not respond. On July 9, 2018, the Board sent Dorn 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. Dorn did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on July 31, 2018, the Board sent Dorn a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of his failure to file an Answer. Thus, Dorn 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 found just cause 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 Board would determine if Dorn's offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Dorn was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Once again, Dorn did not file a response.

The threshold issue before the Board in this matter is whether Dorn's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Dorn failed to respond to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C.* 6A:9B-4.6(c). Consequently, at its meeting of December 17, 2018, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC, North Carolina and Pennsylvania. The Board concluded that no material facts related to Dorn's offense were in dispute since he never denied that he had engaged in the conduct alleged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h). After reviewing the allegations, the Board found that Dorn had engaged in unbecoming conduct.

The Board must now determine whether Dorn's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificate pursuant to *N.J.A.C.* 6A:9B-4.4. 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, 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). Dorn's

actions in viewing pornography on a school computer during instructional time while students were present in the classroom is clearly conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to his breach is the revocation of his certificate.

Accordingly, on December 17, 2018, the Board voted to revoke Robert D. Dorn's Teacher of Industrial Arts certificate. On this 24th day of January 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Dorn's certificate be effective immediately. It is further ORDERED that Dorn return his certificate 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

Date of Mailing:
Via certified and regular mail

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