

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ADAM J. FARRINGTON : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-167

At its meeting of September 19, 2019, the State Board of Examiners (Board) reviewed information the New Jersey State Police and the Office of Student Protection (OSP) provided regarding Adam J. Farrington. On October 11, 2017, Farrington was indicted on one count of Endangering the Welfare of a Child-Distribution of Child Pornography (2nd degree), one count of Endangering the Welfare of a Child-Storing or Maintaining Child Pornography using a File-Sharing Program (2nd degree) and one count of Endangering the Welfare of a Child-Possession of Child Pornography (3rd degree). On November 26, 2018, Farrington was convicted of Endangering-Possession/View Child Pornography (3rd degree) and was sentenced to 364 days in the Burlington County jail, along with other conditions. As a result of the conviction, Farrington is disqualified from public employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.*

Farrington currently holds a Teacher Elementary Grades K-8 Certificate of Eligibility with Advanced Standing and a Standard Teacher of Elementary Grades K-8 certificate.

Farrington did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of November 1, 2019 to issue Farrington an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Farrington the Order to Show Cause by regular and certified mail on November 7, 2019. The Order provided that Farrington had 30 days to respond. The certified mail receipt was “unclaimed” and the regular mail copy was not returned. Farrington did not file a response.

Thereafter, on December 31, 2019, the Board sent Farrington 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. Farrington did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on January 29, 2020, the Board sent Farrington 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, Farrington 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 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 his offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Farrington was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was delivered, and the regular mail copy was not returned. Once again, Farrington did not file a response.

The threshold issue before the Board in this matter is whether Farrington's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Farrington 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 June 26, 2020, the Board considered only the allegations in the Order to Show Cause and the information received from the State Police and the OSP. The Board concluded that no material facts related to Farrington's offense were in dispute since he never denied that he had engaged in the conduct alleged and had been convicted and therefore 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 Farrington had engaged in unbecoming conduct.

The Board must now determine whether Farrington's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against his certificates pursuant to *N.J.A.C. 6A:9B-4.4*. The Board finds that they do.

In enacting the Criminal History Review statute, *N.J.S.A. 18A:6-7.1 et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger. Individuals convicted of a crime such as Endangering – Possession of Child Pornography fall squarely within this category. The strong legislative policy statement is also in accord with the Commissioner's long-standing belief that teachers must serve as role models for their students. "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, Farrington’s conviction for Endangering - Possession/View Child Pornography demonstrates behavior that falls far short of a role model.

The strong policy statement on the part of the Legislature set forth in *N.J.S.A.* 18A:6-7.1(b) also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature and the Commissioner consider Farrington’s offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of his certificates.

Accordingly, on June 26th, 2020, the Board voted to revoke Adam J. Farrington’s Teacher of Elementary Grades K-8 Certificate of Eligibility with Advanced Standing and Standard Teacher of Elementary Grades K-8 certificate. On this 30th day of July 2020, the Board voted to adopt its formal written decision and it is therefore ORDERED that Farrington’s certificates are revoked, effective immediately. It is further ORDERED that Farrington 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.

Rani Singh, 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.