

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
DAWN C. NORCROSS : ORDER OF REVOCATION
_____ : DOCKET NO: 1920-167

At its meeting of May 14, 2020, the State Board of Examiners (Board) reviewed information regarding Dawn C. Norcross (Norcross). Norcross holds a Teacher of Elementary Grades K-8 Certificate of Eligibility with Advanced Standing (CEAS), issued June 2004, and a Teacher of Elementary Grades K-8 Certificate, issued July 2005.

On or about December 19, 2019, Norcross pled guilty to Possession of a Weapon for Unlawful Purpose (3rd degree) and was sentenced on or about January 24, 2020 to 2 years of probation. The Office of Student Protection (OSP) notified the Board that because of her conviction, Norcross is disqualified from public employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.*

Norcross did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting May 14, 2020 to issue Norcross an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Norcross the Order to Show Cause by regular and certified mail on June 3, 2020. The Order provided that Norcross had 30 days to respond. The certified mail was “unclaimed”, and the regular mail was not returned. Norcross did not respond.

Thereafter, on August 11, 2020, the Board sent Norcross another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail copy was “unclaimed” and the regular mail copy was not returned. Norcross did not file a response.

Accordingly, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on October 6, 2020, the Board sent Norcross a hearing notice by regular and certified mail. The notice explained that in accordance with *N.J.A.C.* 6A:9B-4.6(c), the allegations in the Order to Show Cause were deemed to be admitted as a result of her failure to file an Answer. Thus, Norcross 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 her certificates. It also explained that, upon review of the charges against her and the legal arguments tendered in his defense, the Board would determine if her offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Norcross was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed as received and the regular mail copy was not returned. Once again, Norcross did not file a response.

The threshold issue before the Board in this matter is whether Norcross' conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Since Norcross 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 February 26, 2021, the Board considered only the allegations in the Order to Show Cause and the information received and considered by the Board. The Board concluded that no material facts related to Norcross' offense were in dispute since she never denied that she engaged in the conduct alleged and had been convicted. The Board 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 Norcross engaged in unbecoming conduct.

The Board must now determine whether Norcross' conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her 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 were not proper examples for them. Individuals convicted of crimes such as Possession of a Weapon for Unlawful Purpose (3rd Degree) fall squarely within this category. *See N.J.S.A.* 18A:6-7.1(c)(2). 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, Norcross' conviction for Possession of a Weapon for Unlawful Purpose (3rd Degree) 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 herself out as a teacher. Thus, because the Legislature and the Commissioner consider Norcross' offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificates.

Accordingly, on February 26, 2021 the Board voted to revoke Dawn C. Norcross' Teacher of Elementary Grades K-8 CEAS and Teacher of Elementary Grades K-8 Certificate. On this 1st day of April, 2021 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Norcross' certificates be effective immediately. It is further ORDERED that Norcross return her 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

RS/KG/rg

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.