

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
RICHARD S. JACOBY : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 2425-185

At its meeting of April 11, 2025, the State Board of Examiners (Board) reviewed information from the Department of Education (DOE) – Office of Legal Affairs, Accountability & Compliance (OLAAC), and DOE - Office of Student Protection (OSP) regarding Richard S. Jacoby, including documents received from the Atlantic County Prosecutor’s Office (ACPO). Jacoby currently holds a Teacher of Elementary School in Grades K-6 Certificate of Eligibility, issued March 2006.

On or about June 13, 2024, Jacoby was indicted on one count of Aggravated Assault on a Law Enforcement Officer (4<sup>th</sup> degree), *N.J.S.A. 2C:12-1b(5)(a)*. It is alleged that Jacoby struck Sergeant Francesco, of the Margate Police Department, in the face with a closed fist while Sgt. Francesco was responding to a mental health crisis involving Jacoby on or about June 29, 2023.

On October 8, 2024, an Order of Postponement was issued and Jacoby was entered into the Pretrial Intervention program (PTI) for a period of twelve (12) months and he was ordered to submit to random drug/alcohol screenings at the discretion of probation, attend anger management class and provide proof of completion, have lawful contact with the victim, and pay fees and penalties.

Upon review of the above information, the Board voted at its meeting of May 22, 2025, to issue Jacoby an Order to Show Cause as to why the certificates he holds should not be revoked. On May 23, 2025, the Board sent Jacoby the Order to Show Cause by regular and certified mail,

return receipt requested. The Order provided that Jacoby had thirty (30) days to respond pursuant to *N.J.A.C. 6A:9B- 4.6(b)*. The certified mail copy was signed and returned, and the regular mail copy was not returned. Jacoby did not file a response.

On August 4, 2025, the Board sent Jacoby a second notice by regular and certified mail, return receipt requested, providing him with an additional fifteen (15) days to respond to the Order to Show Cause pursuant to *N.J.A.C. 6A:9B-4.6(c)*. The certified mail copy was signed and returned, and the regular mail copy was not returned. Again, Jacoby did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, the Board sent Jacoby a hearing notice by regular and certified mail, return receipt requested, on December 10, 2025. The notice explained that because no answer was filed, there appeared to be no dispute as to material facts in this matter. Thus, Jacoby 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. Jacoby was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was signed and returned, and the regular mail copy was not returned. Jacoby did file a response or request to appear before the Board.

The Board has the authority to “issue appropriate certificates to teach or to administer,” and “may revoke the same under rules and regulations prescribed by the State board.” *N.J.S.A. 18A:6-38*; *see also N.J.A.C. 6A:9B-3.2 and -4.4*; *Morison v. Willingboro Bd. of Educ.*, 478 N.J. Super. 229 (App. Div. 2024), *cert. denied* 258 N.J. 143 (July 11, 2024). The Board may take action against a 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(a); *see also Morison*, 478 N.J. Super. at 246, 248 (explaining the Board is responsible for protecting schoolchildren from improper teacher conduct and may suspend or revoke an educator’s continued ability to serve as a teacher at any public school based on unbecoming conduct).

Because Jacoby failed to respond to the Order to Show Cause, the allegations are deemed admitted. *N.J.A.C.* 6A:9B-4.6(c). Consequently, at its meeting of April 17, 2026, the Board considered only the allegations in the May 22, 2025 Order to Show Cause and the information received from the OSP, OLAAC, and ACPO. Because the allegations were deemed admitted, the Board concluded that no material facts related to Jacoby’s offenses were in dispute. And because no material facts related to Jacoby’s conduct were in dispute, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

The threshold issue before the Board in this matter is whether Jacoby’s actions here constitute conduct unbecoming a certificate holder or other just cause. Based on the undisputed facts in this matter, the Board finds that Jacoby engaged in conduct unbecoming of an educator. Unbecoming conduct is defined as “conduct ‘which adversely affects the morale or efficiency of the [department]’ or ‘has a tendency to destroy public respect for [government] employees and confidence in the operation of [public] services.’” *Bound Brook Bd. of Educ. v. Ciripompa*, 228 N.J. 4, 13 (2017) (quoting *In re Young*, 202 N.J. 50, 66 (2010) (citing *Karins v. Atl. City*, 152 N.J. 532, 554 (1998))). “[A] finding of unbecoming conduct ‘need not be predicated upon the violation of any particular rule or regulation, but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legal correct.’” *Id.* at 13-14 (quoting *Karins*, 152 N.J. at 555). “It focuses

on the morale, efficiency, and public perception of an entity, and how those concerns are harmed by allowing teachers to behave inappropriately while holding public employment.” *Id.* at 14. “The touchstone of the determination lies in the certificate holder’s ‘fitness to discharge the duties and functions of one’s office or position.’” *Young*, 202 N.J. at 66 (quoting *In re Grossman*, 127 N.J. Super. 13, 29 (App. Div. 1974)).

Here, the Board finds that Jacoby’s conduct violates the implicit standard of good behavior expected of public school teachers. Striking a police officer in the face with a closed fist clearly demonstrates unbecoming conduct. Thus, the Board finds that Jacoby engaged in conduct unbecoming an educator and provides the basis for the Board’s finding.

Having found that Jacoby engaged in unbecoming conduct, the Board must now determine the appropriate penalty to be applied. In doing so, the Board considers the “nature and gravity of the offenses under all the circumstances involved, any evidence as to provocation, extenuation or aggravation,” and any “harm or injurious effect” on the maintenance of discipline and the proper administration of the school system. *In re Fulcomer*, 93 N.J. Super. 404, 422 (App. Div. 1967). Central to this evaluation is the understanding that “[t]eachers ... 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.” *IMO Tenure of Sammons*, 1972 *S.L.D.* 302, 321 (Comm’r. Decision, June 12, 1972). Fitness to teach depends on a broad range of factors, including the teacher’s impact and effect upon the students, because a “teacher works in a sensitive area in a schoolroom” and “shapes the attitude of young minds toward the society in which they live.” *Grossman*, 127 N.J. at 30 (quoting *Adler v. Bd. of Educ. of City of New York*, 342 U.S. 485 (1952)). Importantly, unfitness

to hold a position in a school system may be shown by one incident if sufficiently flagrant. *Fulcomer*, 93 N.J. Super. at 421; *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, the Board concludes that the appropriate response to Jacoby's breach in conduct of an educator is revocation of his certificates. Jacoby's conduct of striking a police officer in the face with a closed fist demonstrates he is unfit to discharge the duties and functions as a public-school teacher, and demonstrates strong evidence that revocation is appropriate. Allowing him to maintain certification to teach in a public school would have a negative impact on the proper administration of the school system. Thus, revocation of his certificates is the appropriate response in this matter.

Accordingly, on April 17, 2026, the Board voted to revoke Jacoby's certificate. On this 21st day of May 2026, the Board voted to adopt its formal written decision, and it is therefore ORDERED that Richard S. Jacoby's Teacher of Elementary School in Grades K-6 Certificate of Eligibility is hereby REVOKED, effective immediately. It is further ORDERED that Jacoby return his paper certificates, if issued, 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.



---

Kimberly A. Gatti, Acting Secretary  
State Board of Examiners

**Date of Mailing: May 29, 2026**  
**By 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.