

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
TIMOTHY P. HANLON : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1314-120

At its meeting of September 20, 2013, the State Board of Examiners reviewed information the Criminal History Review Unit (CHRU) had forwarded regarding Timothy P. Hanlon. In 2006, Hanlon pled guilty in Pennsylvania to Recklessly Endangering Another Person, Fleeing or Attempting to Elude Officer, Aggravated Assault By Vehicle While DUI, Accidents Involving Death or Personal Injury, DUI: Controlled Substances, and Use/Possession of Drug Paraphernalia. He also pled guilty in Pennsylvania to Theft By Unlawful Taking in 2008. Hanlon surrendered his teaching certificates in Pennsylvania in 2006. The CHRU notified the Board that, as a result of his convictions, Hanlon was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Hanlon did not challenge the accuracy of his criminal history record with the Commissioner of Education.

Hanlon currently holds a Teacher of Health and Physical Education certificate, issued in June 1980. Upon review of the above information, at its meeting of November 1, 2013, the Board voted to issue Hanlon an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Hanlon the Order to Show Cause by regular and certified mail on November 12, 2013. The Order provided that Hanlon had 30 days to respond. Both copies were returned as undeliverable. The Board could not secure a current address for Hanlon and, accordingly, the Order was published in the New Jersey Star Ledger on February 13 and 14, 2014. Hanlon did not file a response to that notice. Thereafter a second notice was published in the Star Ledger on September 5, 2014. Hanlon did not file a response to the second notice.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on November 18 and 25, 2014, the Board published a hearing notice in the Star Ledger, providing Hanlon with the opportunity to file a written submission on the issue of whether his conduct provided just cause for the Board to take action against

his certificate and, if so, the appropriate sanction. In addition, he was offered the opportunity to appear before the Board to provide testimony on the sanction issue. Once again, Hanlon did not respond.

The threshold issue before the Board in this matter, therefore, is whether Hanlon's convictions and subsequent disqualification and the surrender of his Pennsylvania teaching certificates constitute conduct unbecoming a certificate holder. Since Hanlon never responded to the Order to Show Cause or the Hearing Notice, at its meeting of January 23, 2015, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Hanlon's offense were in dispute since he never denied that he had been convicted of the offenses charged and been subsequently disqualified or that he had surrendered his Pennsylvania certificates. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Hanlon's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against his certificate pursuant to *N.J.A.C. 6A:9B-4.5*. 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 crimes such as Recklessly Endangering Another Person, Fleeing or Attempting to Elude Officer, Aggravated Assault By Vehicle While DUI, Accidents Involving Death or Personal Injury, DUI: Controlled Substances, Use/Possession of Drug Paraphernalia and Theft By Unlawful Taking 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, Hanlon's multiple convictions demonstrate 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 considers Hanlon's offenses so significant, the Board believes that the only appropriate sanction in this case is the revocation of his certificate.

Accordingly, on January 23, 2015, the Board voted to revoke Timothy P. Hanlon's Teacher of Health and Physical Education certificate. On this 12th day of March 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Hanlon's certificate be effective immediately. It is further ORDERED that Hanlon return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, 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:

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