

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
GEOFFREY HAMILTON : ORDER OF REVOCATION
_____ : DOCKET NO: 1617-174

At its meeting of January 19, 2017, the State Board of Examiners (Board) reviewed information the Ocean City Public School District (Ocean City) had forwarded pursuant to *N.J.A.C. 6A:9B-4.4* regarding Geoffrey Hamilton. Ocean City informed the Board that it had terminated Hamilton as a substitute teacher after three female students reported that he had videotaped them and other female students during the beginning of their dance class while they were stretching. The students were clothed in dance leotards at the time. Hamilton admitted to the conduct and allowed the administration access to his phone where the video was recovered. Hamilton also admitted that he shared the video with a friend in Maine to show her the class he had been assigned.

Hamilton currently holds a Substitute Credential, which expires in January 2019. Upon review of the above information, at its March 3, 2017 meeting, the Board voted to issue Hamilton an Order to Show Cause as to why his credential should not be revoked.

The Board sent Hamilton the Order to Show Cause by regular and certified mail on March 8, 2017. The Order provided that Hamilton had 30 days to respond. Hamilton responded on March 29, 2017.

In that Answer, Hamilton admitted to taking the 11 second video of the dance class warming up. (Answer, p. 1). He stated that there was no malice involved and that he “merely wanted to prove to a friend, a woman, that a klutz like me would be subbing for a dance class.” (Answer, p. 1). He added that the video was viewed by the high school principal and an assistant

and that after seeing the video the principal sighed and said, “We like you.” (Answer, p. 1). Hamilton noted the video was deleted from his phone and that at no time during that meeting did anyone say he was fired. (Answer, p. 1). He said he discovered that a few days later when upcoming jobs on his Jobulator had disappeared. (Answer, p. 1). In his Answer, Hamilton also listed many people in the Ocean City Schools and the community who could attest to his good character. (Answer, p. 1). Hamilton added that the incident had taken a toll on his health and that he had been a successful and loved educator in Arizona for 30 years. (Answer, p. 2). He added that he did not want his certificate revoked or to have that on his record. (Answer, p. 2). He noted that he no longer lived in New Jersey so he would not be teaching there again. (Answer, p. 2). He added that the video was a mistake and that he had worked hard to win the trust of students, colleagues and friends in that community, which he had hoped to make his new home. (Answer, p. 2).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on May 8, 2017, the Board sent Hamilton a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Hamilton 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 credential. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Hamilton’s offense warranted action against his credential. Thereupon, the Board would also determine the appropriate sanction, if any. Hamilton was also offered the opportunity to appear before the Board to provide testimony on

the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Hamilton did not file a response.

The threshold issue before the Board in this matter is whether Hamilton's conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of July 27, 2017, the Board considered the allegations in the Order to Show Cause as well as Hamilton's Answer. The Board concluded that no material facts related to Hamilton's offense were in dispute since he never denied that he 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)*.

The Board must now determine whether Hamilton's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificates 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). Hamilton's actions in filming female students while stretching and clothed in dance leotards and then sharing that video with a friend is clearly conduct that is unacceptable for a role model. Although he admits that it was a mistake, Hamilton's actions invaded the students' expectations of safety and privacy in their classroom.

The Board therefore concludes that the appropriate response to his breach is the revocation of his substitute credential.

Accordingly, on July 27, 2017, the Board voted to revoke Geoffrey Hamilton's Substitute Credential, effective immediately. On this 15th day of September 2017 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Hamilton's credential be effective immediately. It is further ORDERED that Hamilton return his credential 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.