

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
MATTHEW GOETKE : ORDER OF REVOCATION
_____ : DOCKET NO: 1819-198

At its meeting of May 17, 2019, the State Board of Examiners (Board) reviewed information it received from the Holmdel Board of Education regarding Matthew Goetke. Goetke was a music teacher in the district who, after receiving tenure charges, resigned his position as a result of allegations of unbecoming conduct. Pursuant to the tenure charges, which are incorporated herein by reference, Holmdel alleged that Goetke made inappropriate comments to students, engaged in unwanted touching of students, dispensed medicine to students, engaged in political discussions with students and showed various videos and movies to students that were inappropriate for a school environment, political in nature, and/or unrelated to the curriculum.

Specifically, Holmdel alleged that, on one occasion when a female student entered his classroom in her cheerleader uniform, Goetke told her “to put some clothes on.” On another occasion, student J.G. and a male student were having a conversation in the hallway when Goetke approached them and stated, “oh no, it’s my job to touch her when she’s 18.” J.G. also alleged that on two other occasions, Goetke held her cheeks and brought their foreheads together for an extended amount of time and would not let her move away. She also claimed that Goetke had given her unwanted and unwelcome hugs, hand-holdings and back touches during the 2017-18 school year and had placed his hand on her thigh after helping her with her homework.

Holmdel also alleged that several students indicated that Goetke made inappropriate jokes in class, talked about his personal life and financial status, and text messaged some students from his personal phone. He also sent inappropriate or overly familiar emails to students. Holmdel alleged that

Goetke informed students of his own medical problems and of medications that he was taking or that he kept in his desk. Students were aware of the locations of these medications, some of which were prescribed. The “medicine drawer” was accessible to students and on some occasions, Goetke provide medicine to students or allowed them to take certain medications from the drawer. Goetke also allegedly discussed his political viewpoints and other political issues in class and students were well aware of his political leanings. Although Goetke received a written reprimand in April 2017 about this conduct, he continued to engage in this behavior during the 2017-18 school year.

Goetke currently holds a Teacher of Music Certificate of Eligibility with Advanced Standing and Teacher of Music Standard certificate. Upon review of the above information, the Board voted at its meeting of June 28, 2019 to issue Goetke an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Goetke the Order to Show Cause by regular and certified mail on July 2, 2019. The Order provided that Goetke must file an Answer within 30 days. Goetke filed an Answer.

Since there were material facts in dispute, the Board transmitted the matter to the Office of Administrative Law (OAL) for hearing as a contested case. On November 14, 2019, the Administrative Law Judge assigned to the case returned it to the Board after Goetke failed to appear for a scheduled hearing. Pursuant to *N.J.A.C. 1:1-3.3*, the ALJ provided Goetke with 13 days to submit an explanation for his nonappearance. Goetke did not submit an explanation or otherwise respond to that notice. At its meeting of January 23, 2020, the Board voted not to retransmit the matter to OAL.

On January 23, 2020, the Board sent Goetke a notice by regular and certified mail providing him an additional 15 days to respond before his Answer would be stricken from the record and the allegations in the Order to Show Cause would be deemed admitted. Goetke responded to that notice by indicating that he stands by his submitted Answer and hopes the Board understands that he cannot appear for a hearing because he cannot take time from work with the United State Postal Service.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on February 20, 2020, the Board sent Goetke a hearing notice by regular and certified mail. Goetke 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. Goetke 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. Goetke did not respond.

The threshold issue before the Board in this matter is whether Goetke's inappropriate comments to students, unwanted touching students, dispensing of medicine to students, and engagement in political discussion with students constitute conduct unbecoming a certificate holder or other just cause. Since Goetke did not appear at his hearing, and his Answer was subsequently stricken from the record, at its meeting of June 26, 2020, the Board considered only the allegations in the Order to Show Cause. Moreover, since Goetke is deemed to have failed to file an Answer, the allegations contained in the Order to Show Cause are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Thus, since no material facts related to Goetke's conduct is in dispute, the Board 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 Goetke engaged in unbecoming conduct.

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

The Commissioner's long-standing belief is 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, Goetke's inappropriate conduct and communication with students falls far short of a role model. Accordingly, the Board believes that the only appropriate sanction in this case is the revocation of his certificates.

Accordingly, on June 26, 2020, the Board voted to revoke Matthew Goetke's Teacher of Music Certificate of Eligibility with Advanced Standing and his Teacher of Music Standard Certificate. On this 30th day of July 2020 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Goetke's certificates be revoked effective immediately. It is further ORDERED that Goetke 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

RS/KAG/th

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.