

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
HENRY VANEGAS-SALCEDO : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0506-223

At its meeting of March 30, 2006, the State Board of Examiners reviewed information received from the Mercer County Prosecutor's Office indicating that on February 13, 2003, Henry Vanegas-Salcedo had pled guilty to charges of maintaining a nuisance. On March 28, 2003, Vanegas-Salcedo was sentenced to five years' probation. He was also ordered to forfeit his teaching certificates, to have no contact with his victims, to maintain employment, to perform community service and to undergo psychological testing. Vanegas-Salcedo currently holds a Teacher of Spanish Certificate of Eligibility with Advanced Standing, issued in June 2000, and a Teacher of Spanish certificate, issued in July 2001. Upon review of the above information, at its March 30, 2006 meeting, the State Board of Examiners voted to issue Vanegas-Salcedo an Order to Show Cause. On May 4, 2006, the Board formally adopted the written Order to Show Cause.

The Board sent Vanegas-Salcedo the Order to Show Cause by regular and certified mail on May 11, 2006. The Order provided that Vanegas-Salcedo's Answer was due within 30 days. Both copies were returned as undeliverable. The Office of Licensing requested a current address for Vanegas-Salcedo from the Motor Vehicles Commission, but the address on file with the MVC was the same one the Board had used unsuccessfully. The Board then published the Order to Show Cause on August 13 and 14, 2006. Vanegas-Salcedo did not respond to the published notice.

At its meeting of November 2, 2006, the State Board of Examiners reviewed the charges in the Order to Show Cause. Since there was no response, the Board of Examiners determined that no material facts related to Vanegas-Salcedo's offense were in dispute since he had never denied that he had pled guilty to the offense and had been sentenced accordingly. It is

therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The issue before the State Board of Examiners in this matter, therefore, is whether Vanegas-Salcedo's offense, as set forth in the Order to Show Cause, represents just cause to act against his certificates pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

The State Board of Examiners 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:9-17.5*. "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. Vanegas-Salcedo's act of maintaining a nuisance clearly was conduct unbecoming a teacher and demonstrates his failure to maintain his status as a role model for children.

Accordingly, on November 2, 2006, the Board of Examiners voted to revoke Vanegas-Salcedo's certificates. On this 7th day of December 2006 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Henry Vanegas-Salcedo's Teacher of Spanish Certificate of Eligibility with Advanced Standing and Teacher of Spanish certificate be effective immediately. It is further ORDERED that Vanegas-Salcedo return his certificates to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

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Robert R. Higgins, Acting Secretary  
State Board of Examiners

Date of Mailing: DECEMBER 13<sup>th</sup>, 2006

Appeals may be made to the State Board of Education pursuant to the provisions of *N.J.S.A. 18A:6-28*.