

IN THE MATTER OF EDUCATION : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
DENIS JELCIC : ORDER OF REVOCATION
_____ : DOCKET NO: 2122-166

At its meeting of May 19, 2022, the State Board of Examiners (Board) reviewed information the Department of Children and Families, Institutional Abuse Investigation Unit (IAIU) provided regarding Denis Jelcic. On March 10, 2022, IAIU released a finding report regarding allegations that Jelcic sexually abused a then 17 year old student in 2008 while he was employed at the Community High School in Teaneck, New Jersey.

In its report, incorporated herein by reference, IAIU found that sexual/genital contact occurred between Jelcic and the student on more than one occasion. IAIU further found that on more than one occasion Jelcic met the student outside school grounds and engaged in sexual activity. IAIU substantiated the allegations of sexual abuse/risk of sexual abuse against Jelcic. No criminal charges were filed as a result of the conduct.

Jelcic currently holds a Substitute Credential, which expires in July 2024. Upon review of the above information, at its June 30, 2022 meeting, the Board voted to issue Jelcic an Order to Show Cause as to why his credential should not be revoked.

The Board sent Jelcic the Order to Show Cause by regular and certified mail on July 5, 2022. The Order provided that Jelcic had 30 days to respond. The certified mail copy was returned as "Unclaimed", and the regular mail copy was not returned. Jelcic did not respond. Thereafter, on September 22, 2022, the Board sent another notice providing Jelcic an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as "Unclaimed", and the regular mail copy was not returned. Once again, Jelcic did not respond.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on February 15, 2023, the Board sent Jelcic a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of his failure to file an Answer. Thus, Jelcic 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. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Jelcic's offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Jelcic was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was signed as received and the regular mail copy was not returned. Once again, Jelcic did not file a response.

The threshold issue before the Board in this matter is whether Jelcic's conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of April 13, 2023, the Board considered the allegations in the Order to Show Cause. The Board determined that no material facts related to Jelcic's offense were in dispute since he never denied that he engaged in the alleged conduct. Thus, 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 Jelcic engaged in unbecoming conduct.

The Board must now determine whether Jelcic's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificate 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). Jelcic’s conduct in having sexual contact with a student clearly indicates a serious lapse in judgment. The Board therefore concludes that the appropriate response to his breach is the revocation of his credential.

Accordingly, on April 13, 2023, the Board voted to revoke Denis Jelcic’s Substitute Credential. On this 18th day of May 2023 the Board voted to adopt its formal written decision and it is therefore ORDERED that Jelcic’s credential is hereby revoked, effective immediately. It is further ORDERED that Jelcic 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.



Rani Singh, 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*.