

IN THE MATTER OF                   :     NEW JERSEY DEPARTMENT OF EDUCATION  
  
THE CERTIFICATES OF            :             STATE BOARD OF EXAMINERS  
  
CARLOS MENENDEZ                :             ORDER OF REVOCATION  
  
\_\_\_\_\_ :             DOCKET NO: 2223-140

At its meeting of January 26, 2023, the State Board of Examiners (Board) reviewed information from the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Delaware Department of Education (Delaware DOE) regarding Carlos Menendez. Menendez currently holds a Teacher of Elementary Grades K-8 Certificate of Eligibility, issued August 1999.

On May 27, 2022, Menendez was arrested in Broward County Florida on five (5) counts of Sexual Battery, Victim 12-17 years, Familial/Custodial Authority (1<sup>st</sup> degree), § 794.011(8)(b), Fla. Stat. (2021). It was alleged that while standing in a position of familial or custodial authority to a minor, he engaged in multiple sexual interactions with the same minor victim. As a result, on June 2, 2022, Delaware DOE immediately suspended Menendez' Delaware educator certificate(s).

Upon review of the above information, the Board voted at its meeting of March 3, 2023, to issue Menendez an Order to Show Cause as to why the certificates he holds should not be suspended pending the outcome of the criminal charges. On March 8, 2023, the Board sent Menendez the Order to Show Cause by regular and certified mail, return receipt requested. The Order provided that Menendez had 30 days to respond pursuant to *N.J.A.C.* 6A:9B- 4.6(b). The certified mail copy was signed and returned, and the regular mail copy was not returned. Menendez did not file a response.

On June 6, 2023, the Board sent Menendez a second notice by regular and certified mail, return receipt requested, providing him with an additional 15 days to respond to the Order to Show Cause pursuant to *N.J.A.C.* 6A:9B-4.6(c). The certified mail copy was signed and returned, and

the regular mail copy was not returned. Again, Menendez did not file a response.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), the Board sent Menendez a hearing notice by regular and certified mail, return receipt requested, on August 9, 2023. The notice explained that because no answer was filed there appeared to be no dispute as to material facts in this matter. Thus, Menendez was offered an opportunity to file a written submission on the issue of whether his certificates should be suspended pending the resolution of the underlying criminal proceedings against him. He was also provided with the opportunity to appear before the Board to offer testimony on the sanction issue. The certified mail copy was signed and returned, and the regular mail copy was not returned. Menendez did not file a response or request to appear before the Board.

On February 13, 2024, before the Board reached a final determination on its March 3, 2023 Order to Show Cause, Menendez pled no contest to four (4) counts of Sexual Battery, Victim 12-17 years, Familial/Custodial Authority (1<sup>st</sup> degree), § 794.011(8)(b), Fla. Stat. (2021), and was sentenced to ten years in prison, followed by ten years of probation, among other conditions. Due to his conviction, The Delaware DOE revoked Menendez' Delaware educator certificate(s) on March 25, 2024.

Upon review of the above information, the Board voted at its April 11, 2024 meeting to vacate the March 3, 2023 Order to Show Cause to suspend Menendez' certificates pending the resolution of the criminal charges in the underlying matter against him. On May 7, 2024, the Board sent Menendez a notice that its March 3, 2023 Order to Show Cause had been vacated.

Further, the Board voted at its May 23, 2024 meeting to issue Menendez an Order to Show Cause as to why his certificates should not be revoked. The Board sent Menendez the May 23, 2024 Order to Show Cause by regular and certified mail, return receipt requested, on August 14, 2024. The Order provided that Menendez had 30 days to respond pursuant to *N.J.A.C.* 6A:9B-4.6(b). The certified mail copy was signed and returned, and the regular mail copy was not

returned. Menendez did not file a response.

On October 31, 2024, the Board sent Menendez a second notice, by regular and certified mail, return receipt requested, providing him with an additional 15 days to respond to the Order to Show Cause pursuant to *N.J.A.C.* 6A:9B-4.6(c). The certified mail copy was stalled in delivery and the regular mail copy was not returned. Again, Menendez did not file a response.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), the Board sent Menendez a hearing notice by regular and certified mail, return receipt requested, on February 4, 2025. The notice explained that because no answer was filed there appeared to be no dispute as to material facts in this matter. Thus, Menendez 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. Menendez was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was refused, and the regular mail copy was not returned. Menendez did not file a response or request to appear before the Board.

The Board has the authority to “issue appropriate certificates to teach or to administer” and “may revoke the same under rules and regulations prescribed by the State board.” *N.J.S.A.* 18A:6-38; *see also N.J.A.C.* 6A:9B-3.2 and -4.4; *Morison v. Willingboro Bd. of Educ.*, 478 N.J. Super. 229 (App. Div. 2024), *cert. denied* 258 N.J. 143 (July 11, 2024). The Board may take action against a 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; *see also Morison*, 478 N.J. Super. at 246, 248 (explaining the Board is responsible for protecting schoolchildren from improper teacher conduct and may suspend or revoke an educator’s continued ability to serve as a teacher at any public school based on unbecoming conduct).

The threshold issue before the Board in this matter is whether Menendez’ actions here

constitute conduct unbecoming a certificate holder or other just cause. Because Menendez failed to respond to the Order to Show Cause, the allegations are deemed admitted. *N.J.A.C.* 6A:9B-4.6(c). Consequently, at its meeting of June 26, 2025, the Board considered only the allegations in the May 23, 2024 Order to Show Cause and the information received from NASDTEC and Delaware DOE. Because the allegations were deemed admitted, the Board concluded that no material facts related to Menendez' offenses were in dispute. And because no material facts related to Menendez' conduct were in dispute, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

The Board finds that Menendez engaged in conduct unbecoming of an educator. Unbecoming conduct is defined as “conduct ‘which adversely affects the morale or efficiency of the [department]’ or ‘has a tendency to destroy public respect for [government] employees and confidence in the operation of [public] services.’” *Bound Brook Bd. of Educ. v. Ciripompa*, 228 N.J. 4, 13 (2017) (quoting *In re Young*, 202 N.J. 50, 66 (2010) (citing *Karins v. Atl. City*, 152 N.J. 532, 554 (1998))). “[A] finding of unbecoming conduct ‘need not be predicated upon the violation of any particular rule or regulation, but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legal correct.’” *Id.* at 13-14 (quoting *Karins*, 152 N.J. at 555). “It focuses on the morale, efficiency, and public perception of an entity, and how those concerns are harmed by allowing teachers to behave inappropriately while holding public employment.” *Id.* at 14. “The touchstone of the determination lies in the certificate holder’s ‘fitness to discharge the duties and functions of one’s office or position.’” *Young*, 202 N.J. at 66 (quoting *In re Grossman*, 127 N.J. Super. 13, 29 (App. Div. 1974)).

Here, the Board finds that convictions for four (4) counts of Sexual Battery, Victim 12-17 years, Familial/Custodial Authority (1<sup>st</sup> degree), § 794.011(8)(b), Fla. Stat. (2021) clearly demonstrate violations of the implicit standard of good behavior expected of public school

teachers. And Menendez' conduct of engaging in multiple sexual interactions with a minor victim while standing in a position of familial or custodial authority to the minor clearly demonstrates unbecoming conduct. Thus, the Board finds that Menendez engaged in conduct unbecoming an educator and provides the basis for the Board's finding.

Having found that Menendez engaged in unbecoming conduct, the Board must now determine the appropriate penalty to be applied. In doing so, the Board considers the "nature and gravity of the offenses under all the circumstances involved, any evidence as to provocation, extenuation or aggravation," and any "harm or injurious effect" on the maintenance of discipline and the proper administration of the school system. *In re Fulcomer*, 93 N.J. Super. 404, 422 (App. Div. 1967). Central to this evaluation is the understanding that "[t]eachers... 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. Fitness to teach depends on a broad range of factors, including the teacher's impact and effect upon the students, because a "teacher works in a sensitive area in a schoolroom" and "shapes the attitude of young minds toward the society in which they live." *Grossman*, 127 N.J. at 30 (*quoting Adler v. Bd. of Educ. of City of New York*, 342 U.S. 485 (1952)). Importantly, unfitness to hold a position in a school system may be shown by one incident if sufficiently flagrant. *Fulcomer*, 93 N.J. Super. at 421; *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, the Board concludes that the appropriate response to Menendez' breach in conduct of an educator is revocation of his certificate. Menendez' conduct of engaging in multiple sexual interactions with a minor victim while standing in a position of familial or custodial authority to the minor demonstrates he is unfit to discharge the duties and functions as a public school teacher. Allowing him to maintain certification to teach in a public school would have a negative impact on the proper administration of the school system. Further, Menendez had action

taken on his Delaware educator certificates, which were initially suspended in June 2022, and then revoked in March 2024, following entry of his guilty pleas. Thus, revocation of his certificate is the appropriate response in this matter.

Accordingly, on June 26, 2025, the Board voted to revoke Carlos Menendez' Teacher of Elementary Grades K-8 Certificate of Eligibility. On this 8th day of August 2025, the Board voted to adopt its formal written decision, and it is therefore ORDERED that Menendez' certificate is REVOKED, effective immediately. It is further ORDERED that Menendez return his paper certificate, if issued, 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.



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Rani Singh, Secretary  
State Board of Examiners

**Date of Mailing:**  
**By 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.