

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
ELIGIBILITY OF :
ROBERT ELMEZZI : ORDER OF REVOCATION
_____ : DOCKET NO: 489-11/98-176

This case arose when the State Board of Examiners received information from the Bergenfield Public Schools indicating that Robert Elmezzi had presented a fraudulent Teacher of Biological Science certificate in order to obtain employment in the Bergenfield Public Schools. Based upon all of the foregoing information, at its meeting of November 5, 1998 the State Board of Examiners issued an Order that Elmezzi show cause why his properly-held Teacher of Health Certificate of Eligibility should not be revoked or suspended.

The Order to Show Cause was mailed to Elmezzi by regular and certified mail on December 3, 1998. The Order provided that if Respondent desired to file an Answer, it must be filed within twenty (20) days. Elmezzi did not respond although the certified mail card was signed. On January 28, 1999, Elmezzi was again given an opportunity to respond to the Order to Show Cause. Once again, the certified mail card was returned signed although Elmezzi did not respond to the Order.

The threshold issue before the State Board of Examiners is whether Elmezzi's conduct, as specified in the Order to Show Cause, constitutes conduct unbecoming a certificate holder. Since Elmezzi failed to respond to the Order to Show Cause, the State Board of Examiners had no responsive pleading to consider in the hearing process. It is therefore ORDERED that the charges contained in the Order to Show Cause are deemed admitted for the purpose of this proceeding. N.J.A.C. 6:11-3.6(a)1.

The issue before the State Board of Examiners in this matter, therefore, is to determine whether Elmezzi's conduct, as set forth in the Order to Show Cause, represents just cause to act against Respondent's certificate pursuant to N.J.A.C. 6:11-3.6(a)1. The State Board of Examiners finds that it does.

In this case, Elmezzi has presented a bogus certificate in order to obtain employment. The Office of Licensing has no record of ever having issued Elmezzi a Teacher of Biological Science certificate. 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. 6:11-3.4. The system of certification in this State ensures the public that each certificate holder is properly qualified for the position held. Any certificate fraudulently obtained "demeans the value of all certificates" and "harms the integrity of the teacher certification system." In re Williams, No. 214-2/94 (Examiners Dec. 14, 1995)(decision on remand).

Thus, the only issue that remains in this matter is the imposition of the appropriate sanction. In the past the Board of Examiners has ordered revocation of an individual's legitimately-held certificates where a certificate had been altered in order to secure employment in an area for which the individual was not certified. See, e.g., In re Shaffer, supra, (New Jersey teacher altered Pennsylvania certificate to include Teacher of the Handicapped authorization); State Bd. of Examiners v. Kaufman, Dkt. No. 226-8/93-15 (Examiners Feb. 24, 1994)(health teacher fabricated certificate to seek employment as a school psychologist); In re Certificate of Nieves, OAL Dkt. No. EDE 7908-88, adopted (Examiners March 3, 1989)(teacher of cosmetology presented falsified elementary education certificate). This case presents similar concerns. A teacher who knowingly alters his certificate in order to teach a subject matter for

which he is not qualified does a great disservice to his students and his school district. That individual has no place in a classroom. In this case, Elmezzi's actions are especially egregious since he had not even become a certified teacher yet and only held a certificate of eligibility. His dishonest behavior so early in his career does not bode well for his future.

Accordingly, it is therefore ORDERED that Robert Elmezzi's Teacher of Health Certificate of Eligibility be revoked on this 15th day of April, 1999. It is further ORDERED that Robert Elmezzi return his Teacher of Health Certificate of Eligibility to the Secretary of the State Board of Examiners, Office of Licensing, CN 500, Trenton, NJ 08625-0500 within fifteen (15) days of receipt of this decision.

Secretary
State Board of Examiners

Date of Mailing: May 4, 1999

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

IBG:MZ:br:robertelmezzi