

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ANTHONY IMPREVEDUTO : ORDER OF REVOCATION
_____ : DOCKET NO: 0405-213

At its meeting of March 31, 2005, the State Board of Examiners reviewed information received from the Division of Pensions indicating that on November 19, 2004, Anthony Impreveduto had pled guilty to charges of misapplication of entrusted property and property of government or financial institution and concealment or misrepresentation of contributions or expenditures. On January 24, 2005, Impreveduto was sentenced to five years' probation on each count. Pursuant to *N.J.S.A. 2C:51-2*, Impreveduto was also ordered to forfeit his public employment and forever disqualified from holding any office or position of honor, trust or profit under the State or any of its administrative or political subdivisions. Impreveduto currently holds Teacher of General Business Studies and Teacher of Marketing Education certificates, both issued in June 1971, a Teacher of Typewriting certificate, issued in January 1974, Supervisor and Principal/Supervisor certificates, both issued in December 1976, a Teacher Coordinator of Marketing Education certificate, issued in December 1984, a School Business Administrator certificate, issued in July 1986 and a Teacher of Bookkeeping and Accounting certificate, issued in December 1992. Upon review of the above information, at its March 31, 2005, meeting, the State Board of Examiners voted to issue Impreveduto an Order to Show Cause.

The Board sent Impreveduto the Order to Show Cause by regular and certified mail on April 7, 2005. The Order provided that Impreveduto's Answer was due within 30 days. Impreveduto filed his response on May 3, 2005. In that Answer, Impreveduto admitted to his conviction and forfeiture of public office. (Answer, ¶¶ 4, 5). He also stated that his convictions stemmed from his role as an Assemblyman and were not related to his position as a teacher. (Answer, ¶ 5b). Impreveduto also argued that his crimes were not disqualifying offenses pursuant to *N.J.S.A. 18A:6-7.1*. (Answer, ¶ 5a).

Thereafter, pursuant to *N.J.A.C.* 6A:9- 17.7(e), on June 1, 2005, the Board of Examiners sent Impreveduto a hearing notice by regular and certified mail. The notice explained that since it appeared no material facts were in dispute, Impreveduto 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. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the State Board of Examiners would determine if Impreveduto's offense warranted action against his certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. The regular mail copy of the hearing notice was not returned and the certified mail copy was returned as unclaimed.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Impreveduto's guilty plea to misapplication of entrusted property and property of government or financial institution and concealment or misrepresentation of contributions or expenditures and his subsequent disqualification from public office constitutes conduct unbecoming a certificate holder. At its meeting of September 22, 2005, the State Board of Examiners reviewed the charges and papers Impreveduto filed in response to the Order to Show Cause. After review of Impreveduto's submissions, the Board of Examiners determined that no material facts related to Impreveduto's offense were in dispute since he admitted that he had pled guilty to the offenses charged and had been sentenced accordingly. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9-17.7(h).

The State Board of Examiners must now determine whether Impreveduto's offenses as set forth in the Order to Show Cause, provide just cause to act against his certificates pursuant to *N.J.A.C.* 6A:9-17.5. The Board finds that they do.

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. Impeveduto’s acts of misappropriation are inexcusable for any individual, teacher or not. While Impeveduto may have been an exceptional teacher in the classroom, he has not demonstrated like behavior outside that arena.

Impeveduto argues that he should retain his certificates since the incident occurred off of school grounds. It is well established that the State Board of Examiners has the right to revoke a certificate where the teacher was involved in criminal activities, even if the activities were unrelated to the classroom. *See Cox v. State Board of Examiners*, (App. Div. Docket No. A-3527-81T3) (November 18, 1983); *State Board of Examiners v. Krupp*, 3 N.J.A.R. 285 (1981).

Moreover, the Commissioner has long held that teachers serve as role models for their students. Therefore, a teacher’s whole life is subject to scrutiny, not just his actions within the schoolhouse doors:

[R]espondent’s argument that, because the occurrence happened in the evening away from school premises, both the Board and the Commissioner have no authority to act, is without merit. Individuals who must comport themselves as models for young minds to emulate choose the teaching profession. This heavy responsibility does not begin at 8:00 a.m. and conclude at 4:00 p.m., Monday through Friday, only when school is in session. Being a teacher requires, *inter alia*, a consistently intense dedication to civility and respect for people as human beings. The Commissioner has, on past occasions, determined tenure charges arising from incidents which happened in the evening both on and off school property. *See In the Matter of the Tenure Hearing of Thomas Appleby, School District of Vineland, Cumberland County*, 1965 S.L.D. 159, *aff’d*, State Board of Education 1970 S.L.D. 448; *In the Matter of the Tenure Hearing of John H. Stokes, School District of the City of Rahway, Union County*, 1971 S.L.D. 623.

[*In the Matter of the Tenure Hearing of Robert H. Beam*, 1973 S.L.D. 157, 163.]

Impeveduto therefore cannot exclude his “out-of-school” behavior from this tribunal’s examination.

Furthermore, 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 (Sup. Ct. 1943), *aff’d*, 131 N.J.L. 326 (E & A 1944). In this instance, Impeveduto’s dishonesty resulted in a criminal

conviction and led to his forfeiture of and permanent bar from public employment.¹

Clearly, he cannot be held as a role model for children.

Accordingly, it is therefore ORDERED that Anthony Imprevduto's Teacher of General Business Studies, Teacher of Marketing Education, Teacher of Typewriting, Supervisor, Principal/Supervisor, Teacher Coordinator of Marketing Education, School Business Administrator, and Teacher of Bookkeeping and Accounting certificates be revoked on this 22nd day of September, 2005. It is further ORDERED that Imprevduto 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.

Robert R. Higgins, Acting Secretary
State Board of Examiners

Date of Mailing: NOVEMBER 15, 2005

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

¹ Imprevduto's argument that his offenses are not disqualifying pursuant to *N.J.S.A.* 18A:6-7.1 is immaterial to the Board's decision in this matter. Imprevduto has been permanently barred from holding a public position pursuant to *N.J.S.A.* 2C:51-2, which is also controlling here. Moreover, disqualification from public employment is only one of several factors that can serve as the basis of a certificate revocation. *N.J.A.C.* 6A:9-17.5.