

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
CHRISTOPHER STRAZZA : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0809-151

At its meeting of November 20, 2008, the State Board of Examiners reviewed information received from the Office of Criminal History Review indicating that respondent Christopher Strazza was convicted in July 2008 of Aggravated Assault with Bodily Injury and Assault on Police Officer. As a result of the conviction, Strazza was disqualified from public service pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Strazza currently holds a Teacher of Physical Education certificate, issued in August 1983, a Teacher of Health and Physical Education certificate, issued in July 1995 and a Teacher of the Handicapped certificate, issued in May 2000.

Strazza did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the State Board of Examiners voted to issue Strazza an Order to Show Cause at its meeting of February 23, 2009.

The Board sent Strazza the Order to Show Cause by regular and certified mail on February 25, 2009. The Order provided that Strazza must file an Answer within 30 days. Strazza filed an Answer on April 2, 2009.

In his Answer, Strazza asserted that he was an alcoholic and suffered from bi-polar disease. (Answer, p. 1.) He admitted that he had been charged and convicted of the offenses listed in the Order to Show Cause. (Answer, p. 1.) He also claimed that since his conviction he had “taken great strides to get help.” (Answer, p. 1.) Strazza noted that he had completed two in-patient rehabilitation programs and had received treatment and medication for his bi-polar disease. (Answer, p. 1.) He added that he was now in a long-term residential life change program that required regular attendance at AA meetings and daily religious services. (Answer,

p. 1.) Strazza added that these were his first offenses and he understood the seriousness of the matter. (Answer, p. 1.) He noted that he worked extremely hard to attain his certificates and that he had been a productive teacher and coach for many years. (Answer, p. 1.) Finally, Strazza asked that he be allowed to retain his certificates to use in the future. (Answer, p. 1.)

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on May 20, 2009, the Board sent Strazza a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Strazza 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 his disqualifying offense warranted action against his certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Strazza was also provided the opportunity to appear before the Board to testify on the sanction issue.

Strazza did not file a response. Neither the certified mail return receipt card nor the regular mail copy was returned.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Strazza's disqualifying offense constitutes conduct unbecoming a certificate holder. Since Strazza failed to respond to the hearing notice, the State Board of Examiners considered his Answer as the only responsive pleading in the hearing process.

At its meeting of January 7, 2010, the State Board of Examiners reviewed the charges and papers Strazza filed in response to the Order to Show Cause. After review of the response, the Board of Examiners determined that no material facts related to Strazza's offense were in dispute since he admitted that he had committed the offense. Further, while Strazza indicated that

he was not aware that he was disqualified as a result of his conviction, he presented no facts to dispute the disqualification. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9-17.7(h). It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

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

In enacting the Criminal History Review statute, *N.J.S.A.* 18A:6-7.1 *et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be dangerous. Individuals convicted of a crime of violence fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing condemnation of acts of violence by teaching-staff members. "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.

In this case, Strazza has a conviction for a violent crime that involved bodily injury. A teacher's behavior outside the classroom may be relevant in determining that person's qualifications and continued fitness to retain his certificate. *In re Grossman*, 127 *N.J. Super.* 13, 30 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). 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 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). Accordingly, the State Board of Examiners finds that Strazza's disqualification from service in the public

schools of this State because of his conviction for Aggravated Assault With Bodily Injury and Assault on Police Officer provides just cause to take action against his certificates.

That strong policy statement on the part of the Legislature set forth in *N.J.S.A.* 18A:6-7.1(b) also offers guidance to the State Board of Examiners as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature considers Strazza's offenses so significant, the State Board of Examiners believes that the only appropriate sanction in this case is the revocation of Strazza's teaching certificates.

Moreover, notwithstanding Strazza's contentions of rehabilitation, this is not the proper context for such considerations. The purpose of this proceeding is "to permit the individual certificate holder to demonstrate circumstances or facts to counter the charges set forth in the Order to Show Cause, not to afford an opportunity to show rehabilitation." *See In the Matter of the Revocation of the Teaching Certificate of Gloria Jackson by the State Board of Examiners*, 96 *N.J.A.R.* 2D (EDE) 1, 16 *aff'd*, App. Div. Dkt. No. A-1246-96T5 (September 9, 1997) citing *In the Matter of the Revocation of the Teaching Certificate of James Noll*, State Bd. of Examiners decision (February 7, 1990). Thus, the fact that Strazza is enrolled in an intensive rehabilitation program and is being treated for his Bi-polar disease, while a step in the right direction, has no bearing on the decision the Board of Examiners must make with regard to his certification.

Accordingly, on January 7, 2010 the Board of Examiners voted to revoke Christopher Strazza's Teacher of Physical Education, Teacher of Health and Physical Education and Teacher

of the Handicapped certificates. On this 25th day of March 2010 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Strazza's certificates be effective immediately. It is further ORDERED that Strazza return his certificates to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

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Robert R. Higgins, Secretary  
State Board of Examiners

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A.* 18A:6-38.4.

RRH:MZ:th