

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
GEORGE E. BOLZONI : ORDER OF SUSPENSION
_____ : DOCKET NO: 1415-195

At its meeting of March 12, 2015, the State Board of Examiners (Board) reviewed information received from the Bergen County Prosecutor's Office and the Criminal History Review Unit regarding George E. Bolzoni (a/k/a Perez). In October 2014, Bolzoni was arrested and charged with Threatening to Kill, Stalking, Criminal Sexual Contact and Simple Assault. In January 2015, Bolzoni was arrested in Delaware and charged with Possession and Intent to Deliver a Controlled Dangerous Substance and Possession of Drug Paraphernalia. In February 2015, Bolzoni was arrested and charged with Sexual Assault-Victim 13-16 and Endangering the Welfare of a Child. If convicted, Bolzoni would be disqualified from public employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Bolzoni currently holds a Substitute Credential, which expires in January 2019. Upon review of the above information, at its meeting of April 17, 2015, the Board voted to issue Bolzoni an Order to Show Cause as to why his credential should not be suspended pending the resolution of the criminal proceedings against him.

The Board sent Bolzoni the Order to Show Cause by regular and certified mail on April 22, 2015. The Order provided that Bolzoni must file an Answer within 30 days. The certified mail receipt was signed and returned and the regular mail copy was not returned. Bolzoni did not file a response. Thereafter, on May 28, 2015, the Board sent Bolzoni another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. Neither the certified mail nor the regular mail copy was returned. Bolzoni did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on June 23, 2015, the Board sent Bolzoni a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Bolzoni 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 credential. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if his offense warranted action against his credential. Thereupon, the Board would also determine the appropriate sanction, if any. Bolzoni was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified mail nor the regular mail copy was returned. Once again, Bolzoni did not file a response.

The threshold issue before the Board in this matter, therefore, is whether Bolzoni's conduct and charges from his various arrests constitute conduct unbecoming a certificate holder. Since Bolzoni failed to respond to the Order to Show Cause or the Hearing Notice, at its meeting of September 17, 2015, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Bolzoni's offense were in dispute since he never denied that he had been indicted for the offenses charged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding. *N.J.A.C. 6A:9B-4.7(c)*.

The Board must now determine whether Bolzoni's conduct and charges, as set forth in the Order to Show Cause, represent just cause to act against his credential pursuant to *N.J.A.C. 6A:9B-4.5*. The Board finds that they do.

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-4.5*. 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 crimes such as Threatening to Kill, Stalking, Criminal Sexual Contact and Simple Assault, Possession and Intent to Deliver a Controlled Dangerous Substance, Possession of Drug Paraphernalia, Sexual Assault-Victim 13-16 and Endangering the Welfare of a Child fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-held belief that teachers must serve as role models for students. "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, Bolzoni has arrests for crimes that involve violence and illegal possession of drugs. 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 Bolzoni's potential disqualification from service in the

public schools of this State because of his arrests on charges of Threatening to Kill, Stalking, Criminal Sexual Contact and Simple Assault, Possession and Intent to Deliver a Controlled Dangerous Substance, Possession of Drug Paraphernalia, Sexual Assault-Victim 13-16 and Endangering the Welfare of a Child provide just cause to take action against his credential.

Accordingly, on September 17, 2015, the Board voted to suspend Bolzoni's credential pending resolution of the criminal proceedings against him. On this 30th day of October 2015 the Board formally adopted its written decision to suspend and it is therefore ORDERED that George Bolzoni's Substitute Credential be suspended effective this day. If the charges are resolved in his favor, he shall notify the Board for appropriate action regarding the suspension order. It is further ORDERED that Bolzoni return his credential to the Secretary of the State Board of Examiners, Office of Certification and Induction, PO Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

RRH/MZ/th

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.