

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
KIP BONSIGNORE : ORDER OF REVOCATION
_____ : DOCKET NO: 1415-252

At its meeting of September 17, 2015, the State Board of Examiners (Board) reviewed information the Liberty, New York Justice Court had forwarded regarding Kip Bonsignore. In August 2014, Bonsignore pled guilty to Disorderly Conduct after being charged with Public Lewdness. According to the Information, Bonsignore “did while operating his vehicle masturbate himself in view of no less than two motor vehicles containing multiple passengers, his actions creating a physically hazardous or physically offensive condition and serving no legitimate purpose under the circumstances.” Bonsignore currently holds a Teacher of Music certificate, issued in June 1999. Upon review of the above information, at its October 30, 2015 meeting, the Board voted to issue Bonsignore an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Bonsignore the Order to Show Cause by regular and certified mail on November 4, 2015. The Order provided that Bonsignore had 30 days to respond. The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Bonsignore did not file a response.

Thereafter, on December 9, 2015, the Board sent Bonsignore another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as “Unclaimed” and the regular copy was not returned. Bonsignore did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on January 11, 2016, the Board sent Bonsignore a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of his failure to file an Answer. Thus, Bonsignore was offered an opportunity to submit written arguments on the issue of whether the conduct as set forth in the Order to Show Cause provided just cause to take action against his certificate, as well as arguments with regard to the appropriate sanction in the event that the Board found just cause to take action against

his certificate. Bonsignore 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, Bonsignore did not respond.

The threshold issue before the Board in this matter is whether Bonsignore's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Bonsignore failed to respond to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of April 14, 2016, the Board considered only the allegations in the Order to Show Cause and the information received from the Town of Liberty Justice Court. The Board concluded that no material facts related to Bonsignore's offense were in dispute since he never denied that he engaged in the conduct alleged and therefore determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(h)*. After reviewing the allegations, the Board found that Bonsignore had engaged in unbecoming conduct.

The Board must now determine whether Bonsignore's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificate pursuant to *N.J.A.C. 6A:9B-4.4*. The Board finds that it does.

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-4.4*. "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. 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 (1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). Bonsignore's actions in masturbating in full view of other vehicles is conduct that indicates a serious lapse in judgment. Bonsignore has demonstrated that he is ill fit to be a role model for students and the Board therefore concludes that the appropriate response to his breach is the revocation of his teaching certificate.

Accordingly, on April 14, 2016, the Board voted to revoke Kip Bonsignore's Teacher of Music certificate. On this 20th day of May 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Bonsignore's certificate be effective immediately. It is further ORDERED that Bonsignore return his certificate 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.

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.