

SBE #CR005-09/02
SB # 51-02

IN THE MATTER OF THE DENIAL OF :
THE ISSUANCE OF A TEACHING :
CERTIFICATE TO ROBERT ELMEZZI. :
STATE BOARD OF EDUCATION
DECISION ON MOTION

Decided by the State Board of Examiners, September 26, 2002

For the Petitioner-Appellant, Lentz & Gengaro (George M. Holland, Esq.,
of Counsel)

For the Respondent-Respondent, Sarah Crowley, Deputy Attorney
General (Peter C. Harvey, Acting Attorney General of New Jersey)

On September 26, 2002, the State Board of Examiners denied the application of the appellant, Robert Elmezzi, for certification following the revocation of his certificate, concluding that he had not demonstrated rehabilitation.¹ The Board of Examiners found that the appellant “has not indicated that he has received counseling or other such help that would allow him to understand his actions and prevent their recurrence. Without such information, the Board of Examiners cannot rightly assess whether such conduct is likely to be repeated.” State Board of Examiners’ Decision, slip op. at 2.

The appellant filed an appeal to the State Board of Education, and on March 10, 2003, he filed the instant motion to supplement the record on appeal pursuant to N.J.A.C. 6A:4-1.9(b). The appellant seeks to supplement the record with 1.) a letter

¹ The appellant’s Teacher of Health certificate had been revoked by the Board of Examiners in April 1999 as a result of his action in presenting a fraudulent Teacher of Biological Science certificate to a school district in an effort to obtain employment.

relating the circumstances surrounding the conduct that led to the revocation of his certificate and his subsequent efforts to remedy the situation; 2.) a letter of recommendation; and 3.) the report of his psychological evaluation.

After reviewing the papers filed, we grant the appellant's motion, finding the proposed exhibits to be material to the issues on appeal. We also reestablish the briefing schedule in this matter. The appellant's brief in support of his appeal is due by May 30, 2003.

May 7, 2003

Date of mailing _____