

#201-13

IN THE MATTER OF THE TENURE :  
HEARING OF PATRICK DE FRANCO, : COMMISSIONER OF EDUCATION  
DENVILLE TOWNSHIP SCHOOL : DECISION  
DISTRICT, MORRIS COUNTY. :

---

SYNOPSIS

Petitioning Board filed tenure charges of conduct unbecoming against respondent Patrick DeFranco, a tenured computer teacher, and sought to terminate his employment. The matter was held in abeyance pending the resolution of the related criminal case. Respondent subsequently pled guilty to second degree sexual assault in connection with allegations brought against him by a former middle school student. Respondent was sentenced to five years in prison and required to register as a sex offender under Megan's Law, *N.J.S.A. 2C:7-1 et seq.*

The Commissioner concluded that the respondent's conviction rendered the tenure charges moot. Accordingly, the Commissioner dismissed the charges and forwarded a copy of this decision to the State Board of Examiners for action against respondent's certificate(s) as that body deems appropriate.

<p>This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.</p>
---

May 31, 2013

AGENCY DKT. NO. 160-5/06

IN THE MATTER OF THE TENURE :  
HEARING OF PATRICK DE FRANCO, : COMMISSIONER OF EDUCATION  
DENVER TOWNSHIP SCHOOL : DECISION  
DISTRICT, MORRIS COUNTY. :

---

Petitioner brought tenure charges against respondent as a result of allegations that respondent committed a sexual assault upon a middle school student in petitioner's district. Respondent subsequently pled guilty to second-degree sexual assault of the student. In consequence of his guilty plea, respondent was sentenced to five years in prison and required to register as a sex offender under *N.J.S.A. 2C:7-1 et seq.* (Megan's Law). *See, State v. Patrick DeFranco*, 426 *N.J. Super.* 240 (App. Div. 2012), *certif. den.* 212 *N.J.* 462 (2012).

The Commissioner concludes that the foregoing renders the tenure charges moot, and accordingly dismisses same. Further, a copy of this decision will be forwarded to the State Board of Examiners for action as appropriate.

IT IS SO ORDERED.<sup>1</sup>

COMMISSIONER OF EDUCATION

Date of Decision: May 31, 2013

Date of Mailing: May 31, 2013

---

<sup>1</sup> This decision may be appealed to the Superior Court, Appellate Division, pursuant to *P.L. 2008, c. 36* (*N.J.S.A. 18A:6-9.1*).