

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
JOSEPH BRUNO : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0506-239

At its meeting of March 30, 2006, the State Board of Examiners reviewed information received from the Gloucester County Prosecutor indicating that on April 1, 2002, Joseph Bruno had pled guilty to abuse of a child, cruelty and neglect. On May 31, 2002, Bruno was sentenced to one year of probation and fined. Bruno currently holds a Teacher of Music certificate, issued in May 1976. Upon review of the above information, at its March 30, 2006 meeting, the State Board of Examiners voted to issue Bruno an Order to Show Cause. On May 4, 2006, it formally adopted the written Order to Show Cause.

The Board sent Bruno the Order to Show Cause by regular and certified mail on May 23, 2006. The Order provided that Bruno's Answer was due within 30 days. The certified mail receipt was signed and returned. The regular mail copy was not returned. Bruno did not file a response. Thereafter, on July 21, 2006, the Board sent Bruno a second notice by regular and certified mail providing him an additional 15 days in which to file an Answer. The certified mail copy was returned and marked "no such street" even though it was mailed to the same address as the prior notice which was signed and returned. The regular mail copy was not returned. The notice explained that if he did not file a response, the allegations in the Order to Show Cause would be deemed admitted and the Board of Examiners would decide the matter based on the evidence before it. Once again, Bruno did not file an Answer.

At its meeting of September 21, 2006, the State Board of Examiners reviewed the charges in the Order to Show Cause. Since there was no response, the Board of Examiners determined that no material facts related to Bruno's offense were in dispute since he had never denied that he had pled guilty to the offense and had been sentenced accordingly. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The issue before the State Board of Examiners in this matter, therefore, is whether Bruno's offense, as set forth in the Order to Show Cause, represents just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that it does.

The State Board of Examiners 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:9-17.5*. "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. Bruno's acts of abuse of a child, cruelty and neglect are inexcusable for any individual, teacher or not.

Furthermore, 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). In this instance, Bruno's conduct is egregious because he harmed a child.

Accordingly, on September 21, 2006, the Board of Examiners voted to revoke Bruno's Teacher of Music certificate. On this 2<sup>nd</sup> day of November 2006 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Joseph Bruno's Teacher of Music certificate be immediately effective. It is further ORDERED that Bruno return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

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Robert R. Higgins, Acting Secretary  
State Board of Examiners

Date of Mailing: NOVEMBER 8, 2006

Appeals may be made to the State Board of Education pursuant to the provisions of *N.J.S.A. 18A:6-28*.