

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
CORRADO DIAMANTE : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0506-247

At its meeting of March 30, 2006, the State Board of Examiners reviewed information received from the Union County Prosecutor indicating that on December 16, 2003, Corrado Diamante had pled guilty to attempted endangering the welfare of a child. On March 4, 2004, Diamante was sentenced to four years' probation and fined. Diamante was also ordered to comply with the provisions of Megan's Law and subject to community supervision for life. The court also ordered him to forfeit his computer hard drive and prohibited him from having any communications with anyone under the age of 18, unless they were related to Diamante. Diamante currently holds a Teacher of Elementary School certificate, issued in June 1974. At its March 30, 2006 meeting the State board of Examiners voted to issue Diamante an Order to Show Cause. On May 4, 2006, it formally adopted the written Order to Show Cause.

The Board sent Diamante the Order to Show Cause by regular and certified mail on May 19, 2006. The Order provided that Diamante's Answer was due within 30 days. The certified mail receipt was signed and returned. The regular mail copy was not returned. Diamante did not file a response. Thereafter, on July 21, 2006, the Board sent Diamante a second notice by regular and certified mail providing him an additional 15 days in which to file an Answer. Again, the certified mail copy was signed and returned and 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, Diamante 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 Diamante'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 Diamante'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. Diamante's act of endangering the welfare of a child, is 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, Diamante's conduct is egregious and harmful to a child.

Accordingly, on September 21, 2006, the Board of Examiners voted to revoke Diamante's Teacher of Elementary School certificate. On this 2<sup>nd</sup> day of November the Board voted to adopt its formal written decision and it is therefore ORDERED that Corrado Diamante's Teacher of Elementary School certificate be revoked effective immediately. It is further ORDERED that Diamante 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.

---

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.