

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
JAMES R. CONZELMANN : ORDER OF REVOCATION
_____ : DOCKET NO: 1819-139

At its meeting of April 12, 2019, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Pennsylvania Professional Standards and Practices Commission forwarded regarding James R. Conzelmann. NASDTEC provided notice that, on August 17, 2018, Conzelmann's Pennsylvania teaching certificate was suspended following his July 2018 guilty plea to Endangering the Welfare of Children, Simple Assault, Resisting Arrest and Disorderly Conduct. On October 3, 2018, Conzelmann was sentenced to House Arrest with Electronic Monitoring. Since filing the Order to Show Cause, Pennsylvania revoked Conzelmann's Pennsylvania certificates.

In New Jersey, Conzelmann currently holds a Teacher of Music certificate. Upon review of the above information, at its May 17, 2019 meeting, the Board voted to issue Conzelmann an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Conzelmann the Order to Show Cause by regular and certified mail on May 22, 2019. The Order provided that Conzelmann had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Conzelmann did not respond. On July 11, 2019, the Board sent Conzelmann another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular mail copy was not returned. Conzelmann did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on August 2, 2019, the Board sent Conzelmann 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, Conzelmann was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder, 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. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Conzelmann's offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Conzelmann was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Once again, Conzelmann did not file a response.

The threshold issue before the Board in this matter is whether Conzelmann's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Conzelmann 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 November 1, 2019, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC and Pennsylvania. The Board concluded that no material facts related to Conzelmann's offense were in dispute since he never denied that he engaged in the conduct alleged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h). After reviewing the allegations, the Board found that Conzelmann engaged in unbecoming conduct.

The Board must now determine whether Conzelmann'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). Conzelmann's actions in

committing aggravated assault, endangering the welfare of a child, simple assault, resisting arrest, and disorderly conduct is clearly conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to his breach is the revocation of his certificate.

Accordingly, on November 1, 2019, the Board voted to revoke James R.. Conzelmann's Teacher of Music certificate. On this 13th day of December, 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Conzelmann's certificate be effective immediately. It is further ORDERED that Conzelmann 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.

Rani Singh, Secretary
State Board of Examiners

Date of Mailing:
Via certified and regular mail

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A.* 18A:6-38.4.