

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
CHRISTOPHER S. CASSESE : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-202

At its meeting of April 13, 2018, the State Board of Examiners (Board) reviewed information the Bergen County Superior Court-Criminal Division and the Criminal History Review Unit (CHRU) had forwarded regarding Christopher S. Cassese. On April 5, 2016, Cassese entered a Pre-Trial Intervention program for a period of 18 months after being charged with Insurance Fraud and Theft by Deception. Cassese allegedly submitted five or more claims for compensation to the Department of Labor that contained false information. Cassese stated that he had no other employment outside of the U.S. Post Office while he was receiving Workers' Compensation when, in fact, he was employed by a pest control company.

Cassese currently holds a Substitute Credential, which expires in July 2019. Upon review of the above information, at its May 24, 2018 meeting, the Board voted to issue Cassese an Order to Show Cause as to why his credential should not be revoked.

The Board sent Cassese the Order to Show Cause by regular and certified mail on May 29, 2018. The Order provided that Cassese had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Cassese did not respond. On July 9, 2018 the Board sent Cassese 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. Cassese did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on July 30, 2018, the Board sent Cassese 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, Cassese 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 credential. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Cassese's offense warranted action against his credential. Thereupon, the Board would also determine the appropriate sanction, if any. Cassese was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Cassese did not file a response.

The threshold issue before the Board in this matter is whether Cassese's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Cassese 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 December 17, 2018, the Board considered only the allegations in the Order to Show Cause and the information received from the Superior Court and the CHRU. The Board concluded that no material facts related to Cassese's offense were in dispute since he never denied that he had engaged in the alleged conduct. 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 Cassese had engaged in unbecoming conduct.

The Board must now determine whether Cassese's conduct, as set forth in the Order to Show Cause, provides just cause to act against his credential 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). Cassese's

charges of Insurance Fraud and Theft by Deception clearly demonstrate conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to his breach is the revocation of his credential.

Accordingly, on December 17, 2018, the Board voted to revoke Christopher S. Cassese's Substitute Credential. On this 24th day of January 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Cassese's credential be effective immediately. It is further ORDERED that Cassese return his credential 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.

Robert R. Higgins, 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.