

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
JEAN CLAUDE A. SANTINI : ORDER OF SUSPENSION
_____ : DOCKET NO: 1920-149

At its meeting of February 28, 2020, the State Board of Examiners (Board) reviewed information the Ridgefield Park Police Department (Ridgefield Park) and the Office of Student Protection (OSP) forwarded regarding Jean Claude A. Santini. On or about March 20, 2019, Santini was convicted of Obstruction, Resisting Arrest, Simple Assault, Hindering, and Disorderly Conduct because of his interaction with law enforcement. Specifically, law enforcement was performing a check on his occupied vehicle in a parking garage and saw Santini throw items over the side of the parking garage. The items thrown were later determined to include controlled dangerous substance (4 cartridges of THC, 1 empty vile of THC, and a ripped plastic bag) along with a baseball cap, a brown wallet with assorted cards and papers, and a New York driver's license belonging to Santini. Santini was combative, uncooperative, and did not comply with law enforcement directives. Additionally, a young female was with him and she fled the vehicle at Santini's direction.

Santini currently holds a Teacher of Music Certificate of Eligibility with Advanced Standing and Teacher of Music certificate. Upon review of the above information, at its May 14, 2020 meeting, the Board voted to issue Santini an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Santini the Order to Show Cause by regular and certified mail on June 3, 2020. The Order provided that Santini had 30 days to respond. Santini contacted the Board's office and requested additional time to provide an Answer. This request was granted and Santini was given until August 15, 2020 to provide an Answer. Santini contacted the Board on August 12, 2020, again indicating that he required additional time to Answer. He was granted another, and final, extension until September 30, 2020.

On September 30, 2020, Santini submitted an Answer, indicating that he is submitting the Answer under “duress” due to the Covid-19 Pandemic¹. He alleged that he has not been able to find an attorney to effectively help him respond in this matter and has been financially impacted by the Pandemic. Nevertheless, he provided a response to each numbered paragraph of the Order to Show Cause. He indicated that he resigned from his teaching position in May 2019, but that the Order to Show Cause was filed in the “middle of the pandemic.” He admitted to the guilty findings for Obstruction, Resisting, Simple Assault, Hindering, and Disorderly Conduct/improper behavior. He stated that in November 2017 he suffered a herniated disc after officers applied pressure to his neck. He generally disagrees that the level and nature of his convictions provides cause to consider the revocation of his educator certificates.

Santini indicates that he was a public educator for 17 years. He dedicated his entire life to his students and won 4 trophies for participation in the Music in the Parks Festival. He alleges that the day he was arrested, he was bullied and beat up by several officers. He has respect for law enforcement and conducted performances at many DARE programs and gets along well with officers in the school community. He concluded his answer by indicating that if the matter goes to a hearing, he will need to find an attorney.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 28, 2020, the Board sent Santini 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 based upon his acknowledgement of the convictions in his Answer. Thus, Santini 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 certificates. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Santini’s offense warranted action against

¹ The Board notes that Santini was provided with multiple extensions in order to obtain counsel if he so chose. The Order was issued in May 2020 and his Answer was submitted about four (4) months after it was served.

his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Santini was also offered the opportunity to appear before the Board to provide testimony on the sanction issue.

On January 28, 2021, Santini submitted another statement, again indicating that due to the Covid 19 Pandemic, his responses were “under duress.” He stated that he wanted the Board to “keep an open door” for the opportunity to present to the Board directly once further investigations have been resolved. He went on to state that none of the facts in the order to show cause, have been disputed. He detailed the employment situation that arose after the criminal matter at issue. He indicated that his employer filed tenure charges “under a completely different rationale.”

He further states that there are “nefarious characters” in the Union City and the BOE that tried to avoid negative publicity. He decided to resign in order to avoid further defamation. His teaching license is precious to him and he is still in debt and his family depends on him to not live on the street.

Santini was given the opportunity to appear before the Board and was notified of same via email and regular mail. He did not appear for the scheduled hearing date of October 28, 2021. On October 22, 2021, shortly before the scheduled hearing date, Santini submitted another statement in writing wherein he disputed the contents of the letter regarding the hearing notification. The Board received and reviewed this submission at its December 16, 2021 meeting.

The threshold issue before the Board in this matter is whether Santini’s conduct constitutes conduct unbecoming a certificate holder or other just cause. Santini’s answer does not dispute the fact that he was convicted as indicated in the Order to Show Cause. Accordingly, the allegations are admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of December 16, 2021, the Board considered the allegations in the Order to Show Cause, the information received from Ridgefield Park and the OSP, along with Santini’s Answer and additional submissions recited above. The Board concluded that no material facts related to Santini’s offense were in dispute since he did not deny the convictions, rather indicated issues surrounding tenure charges, his employment, and allegations of law enforcement’s use of force that have not been proven, investigated, or otherwise adjudicated. 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 Santini engaged in unbecoming conduct.

The Board must now determine whether Santini's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificates 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). Santini's actions of obstructing, resisting arrest, hindering, engaging in disorderly conduct and simple assault clearly demonstrate conduct that is unacceptable for an educator. The Board finds that since the convictions are non-disqualifying, combined with Santini's otherwise successful education career, as recited in his submissions, the appropriate response is not revocation, but rather suspension for a period of three (3) years.

Accordingly, on December 16, 2021, the Board voted to suspend Jean Claude A. Santini's Teacher of Music Certificate of Eligibility with Advanced Standing and Teacher of Music Certificate for a period of three (3) years. On this 21st day of January 2022 the Board voted to adopt its formal written decision and it is therefore ORDERED that Santini's certificates are hereby suspended for a period of three (3) years effective immediately. It is further ORDERED that Santini return his certificates 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.