

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ANDREW FANTASIA : ORDER OF SUSPENSION PENDING
_____ : DOCKET NO: 2324-147

Andrew Fantasia is the holder of a Teacher of Mathematics Certificate of Eligibility, issued August 2019, and a standard Teacher of Mathematics certificate, issued March 2022.

At its meeting of April 11, 2024, the State Board of Examiners (Board) reviewed information from the Ocean County Prosecutor's Office, the Office of Student Protection (OSP), and the Department of Children and Families, Division of Child Protection and Permanency, Institutional Abuse Investigation Unit (IAIU) regarding Fantasia. On or about October 25, 2023, Fantasia was charged with Endangering - Sexual Conduct (3rd degree), N.J.S.A. 2C:24-4A(1); Aggravated Criminal Sexual Contact (3rd degree), N.J.S.A. 2C:14-3A; and Official Misconduct (2nd degree), N.J.S.A. 2C:30-2A. It is alleged that Fantasia engaged in sexual and/or inappropriate contact with a minor student enrolled at the district where he was employed. On or about November 1, 2023, Fantasia was charged with Endangering – Sexual conduct (3rd degree), N.J.S.A. 2C:24-4B(3) and N.J.S.A. 2C:24-4B(5)(a)(iii). It is alleged that Fantasia exchanged nude photographs and inappropriate videos with the same minor student. Fantasia would be disqualified from public employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.*, if he is convicted. Additionally, after investigation, on February 28, 2024, IAIU found that Sexual Abuse, Sexual Molestation, or Sexual Exploitation allegations were substantiated against Fantasia regarding his interactions with the minor.

Upon review of the above information, at its meeting of May 23, 2024, the Board voted to issue Fantasia an Order to Show Cause as to why his credential should not be suspended pending

the resolution of the underlying criminal proceedings against him. On May 24, 2024, the Board sent Fantasia the Order to Show Cause by regular and certified mail, return receipt requested. The Order provided that Fantasia had 30 days to respond pursuant to *N.J.A.C. 6A:9B-4.6(b)*. The certified mail receipt was signed and returned and the regular mail copy was not returned. Fantasia did not file a response.

On June 20, 2024, Fantasia was indicted on one count of Endangering the Welfare of a Child (1st degree), *N.J.S.A. 2C:24-4b(3)*; one count of Endangering the Welfare of a Child (2nd degree), *N.J.S.A. 2C:24-4a(1)*; one count of Possession of Child Pornography (3rd degree), *N.J.S.A. 2C:24-4b(5)(b)(iii)*; one count of Criminal Sexual Contact (4th degree), *N.J.S.A. 2C:14-3b*; one count of Criminal Sexual Contact (4th degree), *N.J.S.A. 2C:14-3b*; one count of Official Misconduct (2nd degree), *N.J.S.A. 2C:30-2a*.

On August 14, 2024, the Board sent Fantasia another notice by regular and certified mail, return receipt requested, providing him an additional 15 days to respond to the Order to Show Cause pursuant to *N.J.A.C. 6A:9B-4.6(c)*. Fantasia filed an Answer on August 20, 2024. In that Answer, Fantasia admits that he was charged with Endangering - Sexual Conduct (3rd degree), *N.J.S.A. 2C:24-4A(1)*; Aggravated Criminal Sexual Contact (3rd degree), *N.J.S.A. 2C:14-3A*; Official Misconduct (2nd degree), *N.J.S.A. 2C:30-2A*; and Endangering – Sexual conduct (3rd degree), *N.J.S.A. 2C:24-4B(3)* and *N.J.S.A. 2C:24-4B(5)(a)(iii)*. (Answer ¶¶ 3 & 4). Fantasia also admits that the IAIU substantiated the allegations. (Answer, ¶ 5). Fantasia, however, indicated that he intends to plead not guilty to the criminal offenses and exercised his right to remain silent in this matter until his criminal case is resolved. (Answer ¶ 7).

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), the Board sent Fantasia a hearing notice by regular and certified mail on November 18, 2024. The notice explained that it appeared that no material facts were in dispute. Thus, he was offered an opportunity to submit written arguments on the issue of whether the allegations addressed in the Order to Show Cause constituted sufficient just cause to take action against his certificates to suspend his certificates pending the resolution of the underlying criminal charges. Fantasia was also offered the opportunity to appear before the Board to provide testimony.

On December 12, 2024, Fantasia filed a response, explaining that he had entered pleas of not guilty to all charges, has elected to exercise his 5th Amendment right to remain silent in this matter in light of the ongoing criminal matter, and will not be offering testimony or other evidence on his behalf at the hearing before the Board.

The threshold issue before the Board in this matter is whether there is just cause to take action against Fantasia's certificates. At its meeting of February 28, 2025, the Board considered the allegations in the Order to Show Cause and Fantasia's Answer. The Board determined that no material facts related to Fantasia's offense were in dispute since he did not deny that he had been charged with the offenses alleged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

The Board must now determine whether Fantasia's criminal charges and disqualification from public school employment if convicted, as set forth in the Order to Show Cause, represent just cause to act against his certificates pursuant to *N.J.A.C.* 6A:9B-4.4. The Board finds that they do.

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. In enacting the Criminal History Review statute, *N.J.S.A.* 18A:6-7.1 *et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be dangerous. Individuals convicted of crimes such as Aggravated Criminal Sexual Contact and Endangering the Welfare of a Child – Sexual Conduct fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner’s long-held belief that teachers must serve as role models for students. “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 (Sup. Ct. 1943), *aff’d*, 131 *N.J.L.* 326 (E & A 1944).

In this case, Fantasia has been charged with the serious crimes of Endangering - Sexual Conduct (3rd degree), *N.J.S.A.* 2C:24-4A(1); Aggravated Criminal Sexual Contact (3rd degree), *N.J.S.A.* 2C:14-3A; Official Misconduct (2nd degree), *N.J.S.A.* 2C:30-2A; and Endangering – Sexual conduct (3rd degree), *N.J.S.A.* 2C:24-4B(3) and *N.J.S.A.* 2C:24-4B(5)(a)(iii). The safety of public-school pupils is paramount in the Board’s consideration of appropriate action in this matter. The Board therefore finds that the allegations against Fantasia and his potential disqualification from service in the public schools of this State because of the charges for such serious offenses provides just cause to take action against his certificates.

Specifically, the allegations are that Fantasia, in his role as a teacher, engaged in sexual and/or inappropriate contact with a minor student enrolled at the district where he was employed and exchanged nude photographs and inappropriate videos with the minor student. The Board finds that the suspension of Fantasia’s certificates pending the resolution of the underlying criminal

charges is appropriate here due to the seriousness of the allegations and the severity of the crimes on which he has been indicted, namely second and third degree felonies. Moreover, the IAIU's investigation found that the allegations of sexual abuse/sexual molestation/sexual exploitation against Fantasia were substantiated.

Accordingly, on February 28, 2025, the Board voted to suspend Fantasia's certificates pending resolution of the underlying criminal proceedings against him. On this 11th day of April 2025, the Board formally adopted its written decision, and it is therefore ORDERED that Andrew Fantasia's Teacher of Mathematics Certificate of Eligibility and standard Teacher of Mathematics certificate are hereby suspended pending resolution of the underlying criminal charges, effective immediately. If the charges are resolved in his favor, he shall notify the Board for appropriate action regarding the suspension order. It is further ORDERED that Fantasia return his paper certificates, if issued, to the Secretary of the State Board of Examiners, Office of Certification and Induction, PO 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.