

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
ALBERT CROSTA : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1112-213

At its meeting of November 2, 2012, the State Board of Examiners (Board) reviewed information it had received from the Superior Court of New Jersey, Ocean County regarding Albert Crosta. The Court informed the Board that on March 3, 2011, Crosta pled guilty to Theft By Unlawful Taking-Moveable Property. On March 3, 2011, Crosta was sentenced to one year of probation and ordered to forfeit his public employment. The court also forever barred Crosta from public employment. Crosta currently holds a Teacher of Music certificate, issued in August 1978. Upon review of the above information, at its June 21, 2012 meeting, the Board voted to issue Crosta an Order to Show Cause.

The Board sent Crosta the Order to Show Cause by regular and certified mail on June 25, 2012. The Order provided that Crosta must file an Answer within 30 days. Crosta filed an Answer on July 13, 2012.

In that Answer, Crosta stated that he had been a Music teacher for seventeen years and took great pleasure in being Band Director. (Answer, p. 1). He added that before he taught in the public schools he used to own his own music school. (Answer, p. 1). Crosta explained that while he was selling off the stock of his music school, he included one of the band instruments that was no longer in daily use from the high school where he had been teaching. (Answer, pp. 1-2). He admitted that the high school instrument should never have been included in the sale and added that he “would never jeopardize the High School for this grave error on my part.” (Answer, p. 2). Crosta maintained that he was an outstanding teacher during his seventeen years of employment and that he was respected by the students and the school. (Answer, p. 2). He stated that he hoped his conviction would be overturned and that he would be able to teach music again in the near future. (Answer, p. 2).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on July 24, 2012, the Board sent Crosta a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Crosta 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 determined 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 Crosta's conduct warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Crosta 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. Crosta did not file a response.

The threshold issue before the Board in this matter, therefore, is whether Crosta's conviction and court-ordered disqualification from public employment constitutes conduct unbecoming a certificate holder. At its meeting of November 30, 2012, the Board considered the allegations in the Order to Show Cause as well as Crosta's Answer. The Board determined that no material facts related to Crosta's offense were in dispute since he admitted that he had been convicted of the offense charged and had been sentenced accordingly. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Crosta's conviction and court-ordered disqualification, as set forth in the Order to Show Cause, provide just cause to act against his New Jersey certificate pursuant to *N.J.A.C. 6A:9-17.5*. 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: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. Moreover, the Commissioner has long held that teachers serve as role models for their students. Crosta's conviction for Theft of Moveable Property and permanent, court-ordered disqualification from public employment clearly undermine his status as a role model. Crosta's conviction therefore warrants revocation. *In the*

*Matter of the Certificates of Kevin Jordan*, Dkt. No. A-0155-08T3 (App. Div. October 5, 2009)  
(Unpublished Opinion).

Accordingly, on November 30, 2012, the Board voted to revoke Albert Crosta's Teacher of Music certificate. On this 25th day of January 2013 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Crosta's certificate be effective immediately. It is further ORDERED that Crosta return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

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Robert R. Higgins, Secretary  
State Board of Examiners

Date of Mailing:

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