

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ADRIANNE R. PROSINI : ORDER OF SUSPENSION
_____ : DOCKET NO: 1314-129

At its meeting of July 30, 2015, the State Board of Examiners (Board) reviewed information the Middlesex County Prosecutor's Office had forwarded regarding Adrienne R. Prosini. On June 5, 2013, Prosini was accepted into a Pretrial Intervention program (PTI) for 24 months after being charged with Assault By Auto, Operating Under the Influence of Liquor or Drugs, DWI Through a School Crossing and Reckless Driving. Prosini's actions caused an accident resulting in bodily injury to two other individuals. Prosini sideswiped a car and her car then rolled over onto a third vehicle. Prosini currently holds a Teacher of Music Certificate of Eligibility With Advanced Standing, issued in July 2006 and a Teacher of Music certificate, issued in September 2007. Upon review of the above information, at its September 17, 2015 meeting, the Board voted to issue Prosini an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Prosini the Order to Show Cause by regular and certified mail on September 23, 2015. The Order provided that Prosini had 30 days to respond. Both the certified mail copy and the regular mail copies were returned. Prosini did not file a response. After securing a new address for Prosini, the Board re-sent the Order to Show Cause by regular and certified mail on October 20, 2015. Neither the certified mail copy nor the regular mail copy was returned. Prosini did not file a response.

Thereafter, on November 25, 2015, the Board sent Prosini another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as "Unclaimed" and the regular copy was not returned. Prosini did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 17, 2015, the Board sent Prosini 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 her failure to file an Answer. Thus, Prosini 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 her certificates. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Prosini was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified mail copy nor the regular mail copy was returned. Once again, Prosini did not respond.

The threshold issue before the Board in this matter is whether Prosini's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Prosini 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 March 3, 2016, the Board considered only the allegations in the Order to Show Cause and the information received from the Middlesex County Prosecutor's Office. The Board concluded that no material facts related to Prosini's offense were in dispute since she never denied that she engaged in the conduct that led to her entrance into PTI. 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 Prosini had engaged in unbecoming conduct.

The Board must now determine whether Prosini's conduct, as set forth in the Order to Show Cause, provides just cause to act against her 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). Prosini's actions in driving while intoxicated and seriously injuring others is conduct that indicates a serious lapse in judgment. The Board therefore concludes that the appropriate response to her breach is a three year suspension of her teaching certificates.

Accordingly, on March 3, 2016, the Board voted to suspend Adrienne R. Prosini's Teacher of Music Certificate of Eligibility With Advanced Standing and her Teacher of Music certificate for a period of three years, effective immediately. On this 14th day of April 2016 the Board voted to adopt its formal written decision and it is therefore ORDERED that the suspension of Prosini's certificates be effective immediately. It is further ORDERED that Prosini return her 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.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing:

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