

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
LAUREN CARDINALI : ORDER OF REVOCATION
_____ : DOCKET NO: 1112-151

At its meeting of December 16, 2011, the State Board of Examiners (Board) reviewed information received from the Office of Criminal History Review (OCHR) indicating that on March 22, 2010, respondent Lauren Cardinali was convicted of Manufacturing/Distributing CDS, CDS on School Property and Conspiracy to Knowingly Commit Health Care Fraud. As a result of the conviction, Cardinali was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Cardinali currently holds a Teacher of Elementary School Certificate of Eligibility With Advanced Standing, issued in April 2006. Cardinali did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of January 19, 2012 to issue Cardinali an Order to Show Cause why her certificate should not be revoked.

The Board sent Cardinali the Order to Show Cause by regular and certified mail on January 23, 2012. The Order provided that Cardinali must file an Answer within 30 days. Both the regular mail and certified mail copies were returned. After securing a new address for Cardinali, the Board re-sent the Order to her by regular and certified mail on February 7, 2012. Cardinali responded on March 7, 2012. In that Answer, Cardinali admitted all of the allegations in the Order to Show Cause. (Answer, p.1). She added that she had led a law-abiding life for the 27 years prior to her arrest. (Answer, p. 1). She noted that she had worked diligently in college to obtain her teaching certificate and wished there was a way she could keep her certificate despite “these unfortunate occurrences.” (Answer, p. 1). Finally, Cardinali stated that she took full responsibility for her actions. (Answer, p. 1).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on March 15, 2012 the Board sent Cardinali a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Cardinali 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 certificate. 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 disqualifying offense warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Cardinali 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. Cardinali did not respond.

The threshold issue before the Board in this matter is whether Cardinali's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. At its meeting of May 17, 2012, the Board considered the allegations in the Order to Show Cause and Cardinali's Answer. The Board determined that no material facts related to Cardinali's offense were in dispute since she admitted that she had been convicted of the offense charged. 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 Cardinali's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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 a danger. Individuals convicted of a crime such as Manufacturing/Distributing CDS, CDS on School Property and Conspiracy to Knowingly Commit Health Care Fraud fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing belief that teachers must serve as role models for their 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. Clearly, Cardinali's conviction indicates her actions here are not those of a role model.

The strong policy statement on the part of the Legislature set forth in *N.J.S.A.* 18A:6-7.1(b) also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature considers Cardinali's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of Cardinali's certificate.

Accordingly, on May 17, 2012, the Board voted to revoke Lauren Cardinali's Teacher of Elementary School Certificate of Eligibility With Advanced Standing. On this 21st day of June 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Lauren Cardinali's certificate be effective immediately. It is further ORDERED that Cardinali return her 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.

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.