

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
ANDREW MONATH : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0607-150

At its meeting of June 29, 2018, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Pennsylvania Professional Standards and Practices Board (Pennsylvania) had forwarded regarding Andrew Monath. On October 24, 2017, Pennsylvania revoked Monath's teaching certificates after he was convicted of Forgery-Unauthorized Act in Writing and Theft by Deception-False Impression. Pennsylvania had previously revoked Monath's certificates in July 2007 due to allegations that he had defrauded the district, students and parents where he was teaching while in a fiduciary role but reinstated the certificates in November 2007.

In New Jersey, Monath currently holds a Teacher of Music Certificate of Eligibility with Advanced Standing and a Teacher of Music certificate. Upon review of the above information, at its September 21, 2018 meeting, the Board voted to issue Monath an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Monath the Order to Show Cause by regular and certified mail on September 28, 2018. The Order provided that Monath had 30 days to respond. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Monath did not respond. On November 8, 2018, the Board sent Monath another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular mail copy was not returned. Monath did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 18, 2018, the Board sent Monath 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 his failure to file an Answer. Thus, Monath 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 Monath's offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Monath was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Once again, Monath did not file a response.

The threshold issue before the Board in this matter is whether Monath's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Monath 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 8, 2019, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC and Pennsylvania. The Board concluded that no material facts related to Monath's offense were in dispute since he never denied that he had engaged in the conduct alleged. 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 Monath had engaged in unbecoming conduct.

The Board must now determine whether Monath'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). Monath's conviction for Forgery-Unauthorized Act in Writing and Theft by Deception-False Impression and the revocation of his

Pennsylvania educator license clearly demonstrate underlying conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to his breach is the revocation of his New Jersey certificates.

Accordingly, on March 8, 2019, the Board voted to revoke Andrew Monath's Teacher of Music Certificate of Eligibility with Advanced Standing and his Teacher of Music certificate. On this 12th day of April 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Monath's certificates be effective immediately. It is further ORDERED that Monath 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.

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Rani Singh, Acting Secretary  
State Board of Examiners

RS/MZ/th

**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.