

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ROSANNE M. SIMEONE : ORDER OF REVOCATION
_____ : DOCKET NO: 1819-187

At its meeting of April 12, 2019, 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 Commission forwarded regarding Rosanne M. Simeone. In October 2018, Simeone surrendered her Pennsylvania teaching certificate after she pled guilty in 2017 to the crime of False Reports to Law Enforcement Authorities and pled *nolo contendere* to the crime of Ethnic Intimidation. Simeone falsely reported that her ex-boyfriend had vandalized her property and raped her when, in fact, she had vandalized his property and made up the allegations against him.

In New Jersey, Simeone currently holds a Teacher of Family and Consumer Sciences, Teacher of Elementary School in Grades K-6 and Teacher of Students with Disabilities certificates. Upon review of the above information, at its May 17, 2019 meeting, the Board voted to issue Simeone an Order to Show Cause as to why her certificate should not be revoked.

The Board sent Simeone the Order to Show Cause by regular and certified mail on May 22, 2019. The Order provided that Simeone had 30 days to respond. The certified mail receipt was returned “unclaimed” and the regular mail copy was not returned. Simeone did not respond. On July 11, 2019, the Board sent Simeone another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was returned “unclaimed” and the regular mail copy was not returned. Simeone did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on August 5, 2019, the Board sent Simeone 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, Simeone 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 Simeone's offense warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Simeone 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, Simeone did not file a response.

The threshold issue before the Board in this matter is whether Simeone's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Simeone 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 November 1, 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 Simeone's offense were in dispute since she 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 Simeone engaged in unbecoming conduct.

The Board must now determine whether Simeone's conduct, as set forth in the Order to Show Cause, provides just cause to act against her certificate 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). Simeone's actions in falsely reporting that her ex-boyfriend vandalized her property and raped her when, in fact, she vandalized his

property and made up the allegations against him is clearly conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to her breach is the revocation of her certificate.

Accordingly, on November 1, 2019, the Board voted to revoke Rosanne M. Simeone's Teacher of Family and Consumer Sciences, Teacher of Elementary School in Grades K-6 and Teacher of Students with Disabilities certificates. On this 13th day of December, 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Simeone's certificates be effective immediately. It is further ORDERED that Simeone 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.

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.