

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
THOMAS A. DAME : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1819-188

At its meeting of April 12, 2019, the State Board of Examiners (Board) reviewed information provided by the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Commonwealth of Pennsylvania Professional Standards and Practices Commission (the Commission) regarding Dame. In August 2018, Dame surrendered his Pennsylvania teaching certificate after the Commission issued a complaint alleging that he reported to work under the influence of alcohol.

In New Jersey, Dame currently holds a Teacher of Physical Science certificate. Upon review of the above information, at its May 17, 2019 meeting, the Board voted to issue Dame an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Dame the Order to Show Cause by regular and certified mail. That mail was returned not deliverable as addressed. Unable to obtain a good address for Dame, the Board published the notice of Order to Show Cause in an appropriate publication. The Order provided that Dame had 30 days to respond. Dame did not respond. On November 15, 2019, after obtaining what it believed to be a good address for Dame, the Board sent Dame 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. Dame did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 31, 2019, the Board sent Dame 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, Dame 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 Dame's offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Dame 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. Once again, Dame did not file a response.

The threshold issue before the Board in this matter is whether Dame's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Dame 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 June 26, 2020, 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 Dame'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 Dame had engaged in unbecoming conduct.

The Board must now determine whether Dame'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). Dame's actions in reporting to work under the influence of alcohol clearly demonstrates conduct that is unacceptable for a role model. That action led the Board to conclude that the appropriate response to his breach is the revocation of his New Jersey certificates.

Accordingly, on June 26, 2020, the Board voted to revoke Thomas A. Dame's Teacher of Physical Science certificate. On this 30<sup>th</sup> day of July 2020 the Board voted to adopt its formal written decision and it is therefore ORDERED that Dame's certificate(s) are hereby revoked, effective immediately. It is further ORDERED that Dame 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, 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.