

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
REBECCA S. DEAN : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-254

At its meeting of August 4, 2023, the State Board of Examiners (Board) reviewed information from the Office of Student Protection (OSP) regarding Rebeccas S. Dean. Dean currently holds a standard School Occupational Therapist certificate.

On or about December 2018, Dean was indicted on one count of Theft by Deception (2nd degree), *N.J.S.A.* 2C:20-4; one count of Financial Facilitation of Criminal Activity (1st degree), *N.J.S.A.* 2C:21-25C; one count of False Material Misrepresentation - Government Contract (2nd degree), *N.J.S.A.* 2C:21-34B; one count of False Contract Payment Claims (2nd degree), *N.J.S.A.* 2C:21-34A; one count of Failure to File Tax Return (3rd degree), *N.J.S.A.* 54:52-8; and one count of Failure to Pay Taxes (3rd degree), *N.J.S.A.* 54:52-9A; after she allegedly submitted falsified invoices to the Edison Board of Education for therapeutic services that were not provided to students.

On October 25, 2022, Dean pled guilty to Theft by Deception (3rd degree), *N.J.S.A.* 2C:20-4. On June 19, 2023, she was sentenced to three years of probation, along with total restitution in the amount of \$704,077.89 to be paid to the Middlesex County Prosecutor's Office for the East Brunswick School District and the Edison School District. The OSP notified the Board that Dean was disqualified from public school employment, pursuant to *N.J.S.A.* 18A:6-7.1 *et seq.*, as the result of her conviction for Theft by Deception (3rd degree), *N.J.S.A.* 2C:20-4.

Upon review of the above information, the Board voted, at its meeting of September 21, 2023, to issue Dean an Order to Show Cause as to why her certificates should not be revoked. The Board sent Dean the Order to Show Cause by regular and certified mail on October 4, 2023. The Order provided that Dean had 30 days to respond pursuant to *N.J.A.C.* 6A:9B- 4.6(b). The certified

mail copy was marked “Delivered, Individual Picked Up at Post Office” and the regular mail was not returned. Dean did not file a response. On January 11, 2024, the Board sent Dean another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause pursuant to *N.J.A.C. 6A:9B-4.6(c)*. The certified mail copy was “Delivered, Left with Individual” and the regular mail copy was not returned. Dean did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(c)*, on March 27, 2024, the Board sent Dean a hearing notice by regular and certified mail. The notice explained that there appeared to be no material facts in dispute. Thus, Dean 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. Dean 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.

In an email correspondence, dated March 26, 2024, Dean acknowledged receipt of the notices and requested another copy of the Order to Show Cause. On April 1, 2024, the Board sent Dean another copy of the Order to Show Cause by email and regular mail, providing her thirty (30) days to respond. Dean did not file a response, nor did she notify the Board that she wished to appear for a hearing.

The threshold issue before the Board in this matter is whether Dean’s actions here constitute conduct unbecoming a certificate holder or other just cause. Because Dean failed to

respond to the Order to Show Cause, the allegations are deemed admitted. *N.J.A.C.* 6A:9B-4.6(c). Consequently, at its meeting of September 19, 2024, the Board considered only the allegations in the Order to Show Cause and the information received from OSP. The Board concluded that no material facts related to Dean’s offense were in dispute because she never denied that she had engaged in the alleged conduct. Thus, since no material facts related to Dean’s conduct are in dispute, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h). The Board finds that Dean engaged in conduct unbecoming of an educator. A conviction for stealing money from the Edison Board of Education by submitting falsified invoices for therapeutic services she did not provide to students is clearly unbecoming conduct and provides the basis for the Board’s finding.

The Board must now determine whether Dean’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:9B-4.4. A “violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct” may provide the basis for a finding of unbecoming conduct. *Bound Brook Bd. of Educ. v. Ciripompa*, 228 N.J. 4, 14 (2017) (quoting *Karins v. City of Atlantic City*, 152 N.J. 532, 555 (1998)). The “elastic” concept of “conduct unbecoming” includes “conduct which adversely affects the morale or efficiency” of the public entity or “which has a tendency to destroy public respect for . . . [public] employees and confidence in the operation of [public] services.” *In re Emmons*, 63 N.J. Super. 136, 140 (App. Div. 1960); accord *Bound Brook Bd. of Educ.*, 228 N.J. at 13. 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).

Further, 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. A conviction for Theft by Deception (3rd degree), *N.J.S.A.* 2C:20-4, is clearly one of the listed crimes for which an individual is permanently disqualified from public school employment. *N.J.S.A.* 18A:6-7.1(c)(2). The strong legislative policy statement is also in accord with the Commissioner's long-standing belief that teachers must serve as role models for their students.

In this instance, the Board finds that Dean's conduct in deceptively stealing money from the public coffers provides just cause to take action against her certificate. The record established that, as a result of her conviction, Dean was sentenced to three years of probation, along with restitution in the amount of \$704,077.89. Falsification of invoices amounting to well in excess of a half million dollars of taxpayer money for services not provided to students is abhorrent behavior and not that of a role model.

As to the appropriate penalty to be applied, 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. In this instance, the Board concludes that the appropriate response to Dean's breach in conduct of an educator is revocation of her certificate.

Accordingly, on September 19, 2024, the Board voted to revoke Rebecca S. Dean's standard School Occupational Therapist certificate. On this 1st day of November 2024, the Board voted to adopt its formal written decision, and it is therefore ORDERED that Dean's certificate be

REVOKED, effective immediately. It is further ORDERED that Dean return her certificate 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.

A handwritten signature in blue ink, appearing to read 'Rani Singh', is positioned above a horizontal line.

Rani Singh, Secretary
State Board of
Examiners

Date of Mailing:
By 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.