

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
CRAIG A. LEVIN : ORDER OF REVOCATION
_____ : DOCKET NO: 2223-182

At its meeting of June 29, 2023, the State Board of Examiners (Board) reviewed information it received from the Office of Student Protection (OSP) regarding Craig A. Levin. Levin was federally indicted on Coercion and Enticement of a Minor to Sexual Activity, along with other related counts. It was alleged that Craig engaged in sexual conduct with a minor, attempted to persuade minors to engage in sexual activity, traveled to the Philippines for the purpose of engaging in illicit sexual conduct with minors, and distributed images depicting minors engaging in sexually explicit conduct and obscene photographs. On June 29, 2021, Levin's educator certificates in Pennsylvania were suspended indefinitely.

On May 9, 2023, Levin pled guilty to Interstate and Foreign Travel for the Purpose of Engaging in Illicit Sexual Conduct with a Minor, 18 U.S.C. 2423(b) and (f); Attempted Sex Trafficking of a Minor, 18 U.S.C. 1591(a)(1), (b)(2) and (c), 18 U.S.C. 1594, 18 U.S.C. 1956(a)(1); Distribution of Child Pornography, 18 U.S.C. 2252(a)(2) and (b)(1); and Transportation of Child Pornography, 18 U.S.C. 2252(a)(1) and (b). He was sentenced to 420 months in federal prison, \$30,000 in restitution, and forfeiture of property as detailed in the Judgment and Order of Forfeiture signed by the Hon. Harvey Bartle III, U.S. District Court Judge. On February 14, 2024, Levin's educator certificates in Pennsylvania were revoked.

Levin currently holds a standard Teacher of the Handicapped certificate. Upon review of the above information, at its August 4, 2023 meeting, the Board voted to issue Levin an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Levin the Order to Show Cause by regular and certified mail on October 25, 2023. The Order provided that Levin had 30 days to respond pursuant to *N.J.A.C. 6A:9B-4.6(b)*. The certified mail copy was signed and returned, and the regular mail was not returned. Levin did not file a response.

On January 11, 2024, the Board sent Levin another notice by certified and regular mail providing him 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 signed and returned, and the regular mail copy was not returned. Levin did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on March 26, 2024, the Board sent Levin 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, Levin 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 his offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Levin was also offered the opportunity to appear before the Board to provide testimony on whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder and the sanction issue. The certified mail copy was signed and returned, and the regular mail was not returned. Once again, Levin did not file a response.

The threshold issue before the Board in this matter is whether Levin's conduct constitutes conduct unbecoming of a certificate holder or other just cause. Since Levin 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 May 23, 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 Levin's offense were in dispute since he never denied that he had engaged in the alleged conduct. Thus, since no material facts related to Levin's conduct is in dispute, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

The Board must now determine whether Levin's conduct, as set forth in the Order to Show Cause, provides just cause to act against his 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" or "which has a tendency to destroy public respect for employees and confidence in the operation of 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).

After reviewing the admitted allegations in the Order to Show Cause, the Board found that Levin had engaged in unbecoming conduct. Levin's conduct and federal convictions for Interstate and Foreign Travel for the Purpose of Engaging in Illicit Sexual Conduct with a Minor, 18 U.S.C. 2423(b) and (f); Attempted Sex Trafficking of a Minor, 18 U.S.C. 1591(a)(1), (b)(2) and (c), 18 U.S.C. 1594, 18 U.S.C. 1956(a)(1); Distribution of Child Pornography, 18 U.S.C. 2252(a)(2) and

(b)(1); and Transportation of Child Pornography clearly demonstrates conduct that is unacceptable for a role model and violates the implicit standard of good behavior expected of a public school teacher. The Board finds that Levin's conduct provides just cause to act against his certificates.

Because the Board found Levin's actions to constitute conduct unbecoming, the Board must now determine the appropriate penalty. 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 Levin's breach in conduct of an educator is revocation of his certificates. In this instance, Levin's actions in engaging in sexual conduct with a minor, attempted sex trafficking, and possession and distribution of child pornography clearly demonstrate he is unfit to hold a position in a school system.

Accordingly, on May 23, 2024, the Board voted to revoke Craig A. Levin's Teacher of the Handicapped certificate. On this 27th day of June 2024, the Board voted to adopt its formal written decision and it is therefore ORDERED that Levin's certificates are hereby REVOKED, effective immediately. It is further ORDERED that Levin return his 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.

Rani Singh, Acting 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.