

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
CHRISTOPHER R. ICOCHEA : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 2223-190

At its meeting of September 21, 2023, the State Board of Examiners (Board) reviewed information it received from the Office of Student Protection (OSP) regarding Christopher R. Icochea. It was alleged that Icochea purposely backed his vehicle into another vehicle, drove forward to hit a separate vehicle, and used a hammer to hit an individual on the head. On June 13, 2023, Icochea pled guilty to Aggravated Assault – with a Deadly Weapon (3<sup>rd</sup> degree), *N.J.S.A. 2C:12-1B(2)*. On July 28, 2023, he was sentenced to three years of non-custodial probation, jail time credit of 10 days, substance abuse and psychological evaluation, and order of no contact with victims. OSP notified the Board that as a result of his conviction, Icochea is disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.*

Icochea currently holds a Teacher of Biological Science Certificate of Eligibility with Advanced Standing and a standard Teacher of Biological Science certificate. Upon review of the above information, at its September 21, 2023 meeting, the Board voted to issue Icochea an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Icochea the Order to Show Cause by regular and certified mail on October 31, 2023. The Order provided that Icochea had 30 days to respond pursuant to *N.J.A.C. 6A:9B-4.6(b)*. The certified mail copy was returned as “Unclaimed” and the regular mail was not returned. Icochea did not file a response.

On January 11, 2024, the Board sent Icochea 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 returned as “Unclaimed” and the regular mail copy was not returned. Icochea did not file a response.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on March 26, 2024, the Board sent Icochea 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, Icochea 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. Icochea 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 returned as “Unclaimed” and the regular mail was not returned. Once again, Icochea did not file a response.

The threshold issue before the Board in this matter is whether Icochea’s conduct constitutes conduct unbecoming of a certificate holder or other just cause. Since Icochea 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 Icochea’s offense were in dispute since he never denied that he had engaged in the

alleged conduct. Thus, since no material facts related to Icochea'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 Icochea'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, the Board found that Icochea had engaged in unbecoming conduct. An educator is a role model to students and should not be committing the crime of Aggravated Assault with a Deadly Weapon (3<sup>rd</sup> degree), *N.J.S.A. 2C:12-1B(2)*, resulting in disqualification from public school employment. Moreover, Icochea's actions in using a hammer to hit another individual causing physical injury clearly demonstrates conduct that is unacceptable for a role model and violates the implicit standard of good behavior expected of a public school teacher.

Because the Board found Icochea'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, because Icochea’s violent conduct and disqualification for public school employment demonstrates he is not suitable as a teacher, the Board concludes that the appropriate response to Icochea’s breach in conduct is revocation of his certificates.

Accordingly, on May 23, 2024, the Board voted to revoke Christopher R. Icochea’s Teacher of Biological Science Certificate of Eligibility with Advanced Standing and standard Teacher of Biological Science certificate. On this 27th day of June 2024, the Board voted to adopt its formal written decision and it is therefore ORDERED that Icochea’s certificates are hereby REVOKED, effective immediately. It is further ORDERED that Icochea 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

**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.