

STATE BOARD OF EXAMINERS DKT. NO. 1112-225  
AGENCY DKT NO. 4-2/14A

IN THE MATTER OF THE :  
REVOCATION OF THE CERTIFICATE : COMMISSIONER OF EDUCATION  
OF MICHAEL BONSU, : DECISION  
STATE BOARD OF EXAMINERS. :

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Order of Revocation by the State Board of Examiners, January 17, 2014

For the Respondent-Appellant, Randy P. Davenport, Esq.

For the Petitioner-Respondent State Board of Examiners, Lauren A. Jensen,  
Deputy Attorney General (John J. Hoffman, Acting Attorney General of  
New Jersey)

The Commissioner has reviewed the record and the papers filed in connection with appellant Michael Bonsu's appeal of the State Board of Examiners' (Board) Order of January 17, 2014, revoking his Teacher of the Handicapped Certificate (Certificate). The appellant's Certificate was revoked for knowingly submitting a fraudulent supervisor certificate to the State-Operated School District of Newark in order to seek employment. On appeal, the appellant contends that, although he did give a fake supervisor certificate to an employee of the District's Human Resource Office, the fake certificate was created by his co-workers as a practical joke and put into a pile of documents that he then unknowingly provided to his employer. The appellant asserts that he was not aware of the existence of the fake certificate until after he handed it over from a folder of papers.

Additionally, the appellant points out that he was fully qualified for a Supervisor Certificate at the time of the incident, and simply did not have it because he had not yet filed his

application with the State. The Appellant also reiterates his argument below that the Board and the Administrative Law Judge (ALJ) relied on inadmissible evidence to impeach his credibility. Finally, even if the Commissioner finds that the appellant was culpable, he argues that the penalty of revocation is arbitrarily disproportionate and excessive, and that the penalty should be modified to a suspension of his Certificate.

In reviewing appeals from decisions of the State Board of Examiners, the Commissioner may not substitute his judgment for that of the Board so long as the appellant received due process and the Board's decision is supported by sufficient credible evidence in the record. Further, the Board's decision should not be disturbed unless the appellant demonstrates that it is arbitrary, capricious, or unreasonable. *N.J.A.C. 6A:4-4.1(a)*.

After full consideration of the record and all submissions, the Commissioner finds that the record adequately supports the Board's determination that the appellant engaged in unbecoming conduct and that the revocation of the appellant's Certificate was the appropriate penalty. Despite the appellant's contentions to the contrary, the Board revoked the appellant's Certificate based on the fact that the ALJ found that the appellant knowingly submitted a fraudulent certificate in order to secure a supervisor position. The ALJ specifically found that the appellant's story regarding the fake certificate did not hang together and that his version of the events was not credible. Notwithstanding the appellant's positive impact on the students, the Board determined that revocation was warranted because the appellant's "fraud negates his position as a role model and undermines the notion of trust that is an essential quality necessary to teach children." There is nothing in the record to suggest that the Board's decision to revoke the appellant's Certificate – based on the nature and extent of the unbecoming conduct proven during the hearing at the Office of Administrative Law – was arbitrary, capricious or

unreasonable. Therefore, the Commissioner finds no basis upon which to disturb the decision of the State Board of Examiners.

Accordingly the decision of the State Board of Examiners is affirmed for the reasons expressed therein.\*

ACTING COMMISSIONER OF EDUCATION

Date of Decision: December 5, 2014

Date of Mailing: December 5, 2014

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\*This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36*.