

#182-14A

STATE BOARD OF EXAMINERS DKT. NO. 1011-245  
AGENCY DKT NO. 11-12/13A

IN THE MATTER OF THE :  
REVOCATION OF THE : COMMISSIONER OF EDUCATION  
CERTIFICATES OF P.S. BY THE : DECISION  
STATE BOARD OF EXAMINERS. :

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Order of Revocation by the State Board of Examiners, November 1, 2013

For the Respondent-Appellant, Stephen J. Kaflowitz, Esq.

For the Petitioner-Respondent State Board of Examiners, Angela L. Velez,  
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 the appellant, P.S.'s appeal of the State Board of Examiners' (Board) Order of November 1, 2013, revoking her Teacher of Music Certificate of Eligibility and Teacher of Music Certificate. On appeal the appellant does not challenge the Board's determination that she engaged in unbecoming conduct but instead that her certificates should not be revoked. The appellant argues that the Commissioner should reject the Board's decision revoking her certificates and impose the two year suspension of her certificates that was recommended by the Administrative Law Judge.

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 certificates was the appropriate penalty. There is nothing in the record to suggest that the Board's decision was arbitrary, capricious or unreasonable, and as a result 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: May 2, 2014  
Date of Mailing: May 2, 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*.