

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
NETERIA AUGCOMFAR : ORDER OF REVOCATION
_____ : DOCKET NO: 1314-205

At its meeting of December 12, 2014, the State Board of Examiners (Board) reviewed information the Hudson County Prosecutor's Office (HCPO) and the Superior Court of New Jersey had provided regarding Neteria Augcomfar. On July 23, 2014, Augcomfar pled guilty to Knowingly Leaving Motor Vehicle Accident with Serious Bodily Injury. On September 26, 2014, she was sentenced to two years' probation, ordered to attend alcohol or drug counseling and ordered to maintain gainful employment. According to the Complaint, Augcomfar left the scene of a motor vehicle accident after striking a bicyclist, who later died of her injuries. Augcomfar holds a Substitute Credential, which expires in January 2018. Upon review of the above information, at its January 23, 2015 meeting, the Board voted to issue Augcomfar an Order to Show Cause.

The Board sent Augcomfar the Order to Show Cause by regular and certified mail on February 2, 2015. The Order provided that Augcomfar had 30 days to respond. Augcomfar responded on February 24, 2015.

In her Answer, Augcomfar admitted to the allegations in the Order to Show Cause. (Answer, ¶ 1). She explained that, although "I maintained I never saw the woman, I know a life was lost in a horrific manner." (Answer, ¶ 2). She stated that she accepted a plea deal because she was "emotionally worn, psychologically tired, and spiritually afraid." (Answer, ¶ 3). She added that she missed her students and did not want to go a longer period of time without engaging with them again. (Answer, ¶ 3). Augcomfar noted that she deeply regretted not getting out of the car the night of the accident to see what had happened. (Answer, ¶ 3). She

acknowledged that she had made a mistake, one “that has impacted the lives of others in immeasurable ways.” (Answer, ¶ 3). Augcomfar added that she could not take back what happened but that she would commit her life to working with students as that was her passion. (Answer, ¶ 3). In addition to her Answer, Augcomfar submitted several character reference letters.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on March 31, 2015, the Board sent Augcomfar a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Augcomfar 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 determined to take action against her credential. It also explained that upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if Augcomfar’s offenses warranted action against her credential. Thereupon, the Board would also determine the appropriate sanction, if any. Augcomfar was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. After receiving an extension of time, Augcomfar responded on June 1, 2015. Her response consisted of her resume, as well as many character reference letters and a copy of the mitigation letter her attorney had submitted to the court in her criminal proceeding. Augcomfar did not request to appear before the Board.

The threshold issue before the Board in this matter is whether Augcomfar’s conduct and crime constitute conduct unbecoming a certificate holder. At its meeting of June 26, 2015, the Board considered the allegations in the Order to Show Cause, Augcomfar’s Answer and Hearing Response. The Board determined that no material facts related to Augcomfar’s offenses were in

dispute since she admitted the allegations in the Order to Show Cause. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.7(h). It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Augcomfar's conduct and conviction, as set forth in the Order to Show Cause, provide just cause to act against her credential pursuant to *N.J.A.C.* 6A:9B-4.5. The Board finds that they do.

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-4.5. "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. 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). In this matter, Augcomfar has a conviction for Knowingly Leaving Motor Vehicle Accident with Serious Bodily Injury. In fact, the name of the offense sounds more benign than Augcomfar's conduct would suggest, as she was drinking before she struck her victim, who later died. That conduct, indicates to this Board that she is not a fit role model for students. Although Augcomfar has many educational and professional accomplishments, they cannot remotely mitigate the serious nature of her offense. The Board therefore believes that the only appropriate sanction in this case is the revocation of Augcomfar's credential.

Accordingly, on June 26, 2015, the Board voted to revoke Augcomfar's Substitute Credential. On this 30th day of July 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Neteria Augcomfar's credential be effective immediately. It is further ORDERED that Augcomfar return her credential to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

Robert R. Higgins, Secretary
State Board of Examiners

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Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A.* 18A:6-38.4.