

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS  
BRITTANIA FRAZIER : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1314-246

At its meeting of July 24, 2014, the State Board of Examiners (Board) reviewed information the Criminal History Review Unit and the Bergen County Prosecutor's Office had provided regarding Brittania Frazier. In June 2014, Frazier pled guilty to Improper Behavior after she allegedly brought a taser to school and left it unattended in a wall socket in her classroom while it was charging. In December 2013, Frazier pled guilty to Improper Behavior for shoplifting \$253.25 worth of merchandise from a clothing store. Frazier holds a Substitute Credential, which expires in January 2018. Upon review of the above information, at its September 19, 2014 meeting, the Board voted to issue Frazier an Order to Show Cause.

The Board sent Frazier the Order to Show Cause by regular and certified mail on September 23, 2014. The Order provided that Frazier had 30 days to respond. Both the certified mail and regular mail copies were returned. After several failed attempts at sending Frazier the Order to Show Cause, the Board secured a new address for her and re-sent the Order to Show Cause by regular and certified mail on January 20, 2015. Frazier responded on February 5, 2015.

In her Answer, Frazier admitted to the allegations. (Answer, ¶¶ 3, 4). She explained that on the date of the incident with the taser, she was supposed to go to a late night event in New York City in an area with a high crime rate. (Answer, ¶ 3). She stated that her friend insisted she carry a taser that he had given her for protection. (Answer, ¶ 3). She added that she did not realize it was illegal to carry the weapon and stated that she exercised poor judgment in bringing it into a classroom. (Answer, ¶ 3). Frazier noted that she was charging it behind her desk and no student saw it or was harmed. (Answer, ¶ 3). She acknowledged that she had made a bad

decision and had learned from it. (Answer, ¶ 3). As for the shoplifting charge, Frazier stated that at the time of the arrest she was struggling financially and her substitute teaching job was her only source of income. (Answer, ¶ 4). She added that she was struggling to pay rent and recognized how foolish she was. (Answer, ¶ 4). She noted that she now had a full-time job and her life had stabilized. (Answer, ¶ 4). Frazier also stated that she had completed graduate school and had no intention of using her Substitute Credential any longer. (Answer, ¶ 4). She claimed that she was “not a malicious person with ill intent, just one who has made some poor decisions.” (Answer, ¶ 5). She asked the Board to consider her progress and not revoke her credential. (Answer, ¶ 5). In addition to her Answer, Frazier submitted several character reference letters.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on March 3, 2015, the Board sent Frazier a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Frazier 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 Frazier’s offenses warranted action against her credential. Thereupon, the Board would also determine the appropriate sanction, if any. Frazier was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Neither the certified nor regular mail copy was returned. Frazier did not respond.

The threshold issue before the Board in this matter is whether Frazier’s conduct and crime constitute conduct unbecoming a certificate holder. At its meeting of May 21, 2015, the Board considered the allegations in the Order to Show Cause and Frazier’s Answer. The Board

determined that no material facts related to Frazier's offenses were in dispute since she admitted that she had engaged in the alleged conduct and been convicted. 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 Frazier'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, Frazier has two convictions for Improper Behavior within six months of each other. Although the name of the offense might sound benign, bringing a dangerous weapon into a classroom is a serious matter. The fact that no student was harmed is a fortuitous happenstance. That conduct, as well as Frazier's prior act of poor judgment in shoplifting, indicates that she is not a fit role model for students. The Board therefore believes that the only appropriate sanction in this case is the revocation of Frazier's credential.

Accordingly, on May 21, 2015, the Board voted to revoke Frazier's Substitute Credential. On this 26th day of June 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Brittanica Frazier's credential be effective immediately. It is further ORDERED that Frazier 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.

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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.