

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
NATALIE G. ZEBALLOS : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1718-143

At its meeting of September 21, 2018, the State Board of Examiners (Board) reviewed information received from the Union county Superior Court and the Office of Student Protection (OSP), formerly known as the Criminal History Review Unit (CHRU), regarding Natalie G. Zeballos. On November 14, 2016, Zeballos pled guilty to Resisting Arrest/Eluding (3<sup>rd</sup> degree) in addition to other motor vehicle violations, including Driving While Intoxicated. After being instructed by a police officer to bring her vehicle to a full stop, Zeballos drove off and continued to drive in an erratic and unsafe manner with the police patrol vehicle behind her with lights and siren on.

According to the Complaint, Zeballos almost struck multiple pedestrians forcing them to move out of the way. On July 21, 2017, Zeballos was sentenced to two years of probation and had her driver's license suspended for six months. She received other restrictions for the motor vehicle offenses, including ignition interlock for six months. The OSP notified the Board that, as a result of her Eluding conviction, Zeballos is disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Zeballos currently holds Teacher of Elementary School in Grades K-6 Certificate of Eligibility with Advanced Standing, Teacher of Bilingual/Bicultural Education Certificate of Eligibility with Advanced Standing, Teacher of Elementary School in Grades K-6, and Teacher of Bilingual/Bicultural Education certificates.

Zeballos did not challenge the accuracy of her criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of November 1, 2018 to issue Zeballos an Order to Show Cause as to why her certificates should not be revoked.

After several attempts to varying addresses, the Board sent Zeballos the Order to Show Cause by regular and certified mail on December 18, 2018. The Order provided that Zeballos had 30 days to respond. On January 14, 2019, Zeballos submitted an Answer to the Order to Show Cause. In her Answer, Zeballos admitted that she is convicted of Eluding, but that she did not have proper legal counsel at the time of

conviction. She admits that she “should never have been so irresponsible to get behind the wheel after drinking.” She states that teaching is her passion and that she is extremely remorseful and continues to address the consequences of her conviction. She attached a video via CD which she indicates would “shed new light on the investigation.” The Board office attempted to view the CD, but there was no content. The Board contacted Zeballos and she submitted a new CD, but again the CD had no content. The Board was unable to obtain a CD which had content and therefore Zeballos was advised the Board could not view the video submission.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on April 29, 2019, the Board sent Zeballos 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 her failure to file an Answer. Thus, Zeballos 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 about the appropriate sanction if the Board found just cause to take action against her certificates. It also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Zeballos was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. According to the certified mail tracking system, the certified mail was left with an authorized representative and the regular mail copy was not returned. Zeballos did not file a response or otherwise indicate whether she wished to appear before the Board.

The threshold issue before the Board in this matter is whether Zeballos’ conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. Based upon Zeballos’ conviction and admission in her Answer, the allegations therein are admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of August 1, 2019, the Board considered the allegations in the Order to Show Cause, the information received from the Prosecutor’s Office and the OSP, and Zeballos’ submission. The Board concluded that no material facts related to Zeballos’ offense were in dispute since she never denied that she was convicted of the conduct alleged and therefore determined that summary

decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h). After reviewing the allegations, the Board found that Zeballos had engaged in unbecoming conduct.

The Board must now determine whether Zeballos's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against her certificates pursuant to *N.J.A.C.* 6A:9B-4.4. The Board finds that they do.

In enacting the Criminal History Review statute, *N.J.S.A.* 18A:6-7.1 *et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger. Individuals convicted of crimes such as Eluding fall squarely within this category. The strong legislative policy statement is also in accord with the Commissioner's long-standing belief that teachers must serve as role models for their students. "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 instance, Zeballos' conviction demonstrates behavior that falls far short of a role model.

The strong policy statement on the part of the Legislature set forth in *N.J.S.A.* 18A:6-7.1(b) also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature and the Commissioner consider Zeballos' offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of her certificates.

Accordingly, on August 1, 2019, the Board voted to revoke Natalie G. Zeballos' Teacher of Elementary School in Grades K-6 Certificate of Eligibility with Advanced Standing, Teacher of Bilingual/Bicultural Education Certificates of Eligibility with Advanced Standing, Teacher of Elementary School in Grades K-6, and Teacher of Bilingual/Bicultural Education certificates. On this 19<sup>th</sup> day of

September 2019, the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Zeballos' certificates be effective immediately. It is further ORDERED that Zeballos return her 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

RS/KAG/th

**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.