

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
RAQUEL ROMERO : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-252

At its meeting of June 28, 2018, the State Board of Examiners (Board) reviewed information the Office of Student Protection (OSP) forwarded regarding Raquel Romero. On or about March 26, 2018, Romero pled guilty to Endangering – Abuse/Neglect of a Child by a Caretaker (2nd degree). Romero allegedly left a minor child she was responsible for in a locked car with the windows up in temperatures over 90 degrees for 22 minutes. On May 11, 2018, Romero was sentenced to two (2) years of probation as a result of the conviction. The OSP notified the Board that, as a result of her conviction, Romero was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Romero currently holds a Teacher of Preschool- Grade 3 Certificate of Eligibility with Advanced Standing.

Romero 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 September 21, 2018 to issue Romero an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Romero the Order to Show Cause by regular and certified mail on October 30, 2018. The Order provided that Romero had 30 days to respond. Romero’s counsel sought to resolve the matter by submitting a proposed consent order. At its March 8, 2019, the Board voted to reject the proposed consent order¹.

After inadvertent delay resulting from the rejected consent order, on January 26, 2021, the Board provided Romero with an opportunity to Answer the Order to Show Cause after she indicated she no longer had legal counsel. Romero then submitted an Answer with supporting documents. In her Answer, Romero admitted that she made an “awful and unintentional mistake.” *See Answer at ¶ 2.* She also admitted that she pled guilty to the endangering charge. *Id.* at ¶ 3.

¹ Romero’s counsel did not file an answer at this time, nor did they file the answer after the Board rejected the consent order proposal.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on March 11, 2021, the Board sent Romero a hearing notice by regular and certified mail. Romero 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 regarding the appropriate sanction if the Board found just cause to take action against her certificate. 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 certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Romero was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified return card was received, and the regular mail copy was returned. Romero did not file a response.

The threshold issue before the Board in this matter is whether Romero's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder or other just cause. At its meeting of June 25, 2021, the Board considered the allegations in the Order to Show Cause as well as Romero's Answer. The Board determined that no material facts related to Romero's offense were in dispute since she did not deny that she engaged in the conduct alleged in the Order to Show Cause and she was convicted. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

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

In enacting the OSP 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 inappropriate role models for them. Individuals such as Romero, convicted of a crime involving Endangering the Welfare of a Child, 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 exemplars 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, Romero's conviction demonstrates behavior that falls 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 herself out as a teacher. Because the Legislature and the Commissioner consider Romero's offense so significant, and the Board must render its determination within the confines of her disqualification, the Board believes that the only appropriate sanction in this case is the revocation of Romero's certificate.

Accordingly, on June 25, 2021, the Board voted to revoke Raquel Romero's Teacher of Preschool-Grade 3 Certificate of Eligibility with Advanced Standing. On this 30th day of July 2021, the Board voted to adopt its formal written decision and it is therefore ORDERED that Romero's certificate is hereby revoked, effective immediately. It is further ORDERED that Romero return her certificate 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.

Rani Singh, Secretary
State Board of Examiners

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.