IN THE MATTER OF	:	NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF	:	STATE BOARD OF EXAMINERS
HANSEL PEREZ	:	ORDER OF REVOCATION
_____	:	DOCKET NO: 2223-105

Hansel Perez (Perez) is the holder of a Teacher of Elementary School in Grades K-8 Certificate of Eligibility with Advanced Standing (CEAS), issued in June 2003; a Teacher of Bilingual/Bicultural Education Certificate of Eligibility (CE), issued March 2012; Teacher of English as a Second Language (ESL) CE, issued April 2012; a School Business Administrator CE, issued April 2012; a Teacher of Comprehensive Business CEAS, issued November 2013; a Teacher of Students with Disabilities CE, issued January 2015; a Standard Teacher of Bilingual/Bicultural Education certificate, issued August 2015; a Standard Teacher of Comprehensive Business certificate, issued August 2015; a Standard Teacher of ESL certificate, issued August 2015; a Standard Teacher of Elementary School in Grades K-8 certificate, issued in August 2015; a Standard Teacher of Students with Disabilities certificate, issued November 2016; and a Standard Supervisor certificate, issued June 2017.

At its meeting of September 16, 2022, the State Board of Examiners (Board) reviewed information it received from the Department of Education – Office of Student Protection (OSP) and the Department of Education – Office of Legal Affairs, Accountability & Compliance (OLAAC) regarding Perez, including information and/or documentation obtained from the Department of Children and Families – Institutional Abuse Investigation Unit (IAIU). Perez was employed by the Newark Public School District and resigned on March 11, 2022. It was alleged that Perez had inappropriate physical contact with at least three (3) students. Specifically, it was alleged that Perez would pinch and grab student J.A. on various parts of his body on multiple

occasions and that J.A. had bruising and required a medical assessment. It was also alleged that J.A. underwent a psychosocial evaluation which noted that the student had symptoms of anxiety, hypervigilance, fearfulness, avoidance of school, loss of appetite, depressive symptoms, and nightmare as a direct result of being subjected to physical abuse, harassment and verbals threats by Perez.

On July 1, 2022, IAIU investigated the matter and issue a report finding the allegations of Physical Abuse/Physical Impairment were Substantiated against Perez as a result of his actions with student J.A.

After reviewing the above information, at its October 28, 2022 meeting, the Board voted to issue an Order to Show Cause (OSC) to Perez as to why his certificates should not be revoked. On or about December 6, 2022, the Board sent Perez the OSC by regular and certified mail. The OSC provided that Perez must file an Answer within 30 days pursuant to *N.J.A.C.* 6A:9B-4.6(b). On January 4, 2023, Perez submitted an answer in which he admitted that he resigned but claimed that "his resignation was made under duress and pursuant to certain promises made by Newark Public School District." *See Answer*, dated January 4, 2023, ¶ 2. He denied firsthand knowledge of any investigation, disputed the IAIU findings, and "denie[d] any wrongdoing, abuse, inappropriate physical contact, physical abuse/physical impairment or emotional abuse/mental and emotional impairment as to any student." *Id.* at ¶ 3.

As there were material facts in dispute, the Board transmitted the matter to the Office of Administrative Law (OAL) for a hearing on February 2, 2023. This matter was consolidated with *Department of Children and Families v. H.P.*, OAL Dkt. HSV 06856-22 (DCF) on December 19, 2023. *Department of Children and Families v. H.P.*, OAL Dkt. No. EDE 06856-22 (Initial Decision, June 6, 2025). DCF was found to have the predominant interest. *Id.* at 2. A hearing

was held in the DCF matter on September 20, 2024, October 4, 2024, and November 13, 2024. Five witnesses – Francine Boatman, Adalis Alverez-Craft, Karen Smarz, S.J., and J.A. – testified on behalf of DCF. Perez testified on his own behalf. *Id.* at 2, 31. On June 6, 2025, the ALJ issued an initial decision in the DCF matter concluding that DCF met its burden in its substantiated findings of physical and emotional abuse of seventh-grade student J.A. by H.P. *Id.* at 28. The ALJ found "there was an abundance of competent, consistent, corroborated and reliable evidence." *Ibid.*

Thereafter, the Deputy Attorney General (DAG) representing the Board filed a Motion for Summary Decision in the instant matter on July 16, 2025. The ALJ then severed the previously consolidated matters. *In the Matter of the Certificates of H.P.*, OAL Dkt. No. EDE 01099-23 (Initial Decision, July 10, 2026). On July 10, 2026, Administrative Law Judge (ALJ) Ernest M. Bongiovanni issued an Initial Decision in the case. *Ibid.* The ALJ found that Perez "concede[d] the facts found in [the DCF matter] and only argues that the proposed revocation is not justified," and that Perez's conduct toward J.A. was "unchallenged." *Id.* at 3. Specifically, the ALJ found "that the charges against [Perez] of child abuse and neglect were well founded." *Ibid.* The physical abuse "consisted mainly of pinching the student's lips," and the emotional abuse "consisted of [Perez] threatening J.A. that he could get his family deported if J.A. didn't listen to him." *Ibid.* The ALJ noted that "J.A.'s age at the time and his recent immigration to the United States made him vulnerable and frightened." *Id.* at 3-4. Thus, the ALJ determined that Perez's conduct constituted conduct unbecoming of a teacher and granted the Board's motion for summary decision. *Id.* at 3, 7.

In determining the appropriate penalty, the ALJ discussed mitigation. *Id.* at 4, 6-7. Specifically, the ALJ found as mitigating factors that there was no sexual misconduct, no criminal

charges, Perez voluntarily resigned from the district, and that he had not taught for four years. *Id.* at 7. Further, the ALJ found that Perez "has been punished and 'given a strong message' already without his credentials being revoked." *Ibid.* And that there was no evidence Perez was "not an effective and well-motivated teacher, who gave up a business career to go into teaching." *Ibid.* The ALJ concluded that, given the mitigating factors, Perez' certificates should be suspended for six months. *Ibid*.

On July 31, 2026, the DAG filed exceptions to the Initial Decision. *See* Board Exceptions. In its exceptions, the DAG argued that the unbecoming conduct of Perez warranted the revocation of his teaching certificates. *Id.* at 2-5. The DAG also argued that the mitigating factors here were not outweighed by the violent and emotionally abusive conduct. *Id.* at 2.

On August 17, 2026, Perez filed reply exceptions to the Initial Decision. *See* Perez Reply Exceptions. In his reply exceptions, Perez argued that the ALJ received briefs from both parties and held oral argument on cases cited in reference to the appropriate penalty. *Id.* at 1. Perez also argued that the ALJ's analysis and decision as to penalty was "thorough, thoughtful, and soundly rooted in the record." *Ibid.* Further, Perez argued that the cases cited by the DAG do not contradict the ALJ's analysis or decision. *Id.* at 2.

The Board must now determine whether to adopt, modify, or reject the Initial Decision in this matter. At its meeting of September 18, 2026, the Board reviewed the Initial Decision, Exceptions filed by the DAG, and Reply Exceptions filed by Perez. After full and fair consideration of the Initial Decision and submissions, the Board voted to adopt the findings of facts and the legal conclusion finding unbecoming conduct by the ALJ and modify the appropriate penalty to a revocation.

In reviewing this matter, the Board does not find the ALJ's factual and credibility findings in the DCF matter to be arbitrary or not based on sufficient credible evidence. The ALJ's credibility determinations were well supported and based on his first-hand observations. Moreover, the ALJ found that Perez conceded the facts found in the DCF matter. Accordingly, the Board is constrained by the ALJ's findings of facts and credibility determinations in the DCF matter. The Board does not find a sufficient basis by which it could overturn same. *N.J.A.C.* 1:1-18.6(b) and (c).

The Board has the authority to "issue appropriate certificates to teach or to administer" and "may revoke the same under rules and regulations prescribed by the State board." *N.J.S.A.* 18A:6-38; *see also N.J.A.C.* 6A:9B-3.2 and -4.4); *Morison v. Willingboro Bd. of Educ.*, 478 N.J. Super. 229 (App. Div. 2024), *cert. denied* 258 N.J. 143 (July 11, 2024). The Board may take action against a certificate holder on the basis of "demonstrated inefficiency, incapacity, conduct unbecoming a teacher, or other just cause." *N.J.A.C.* 6A:9B-4.4; *see also Morison*, 478 N.J. Super. at 246, 248 (the Board is responsible for protecting schoolchildren from improper teacher conduct and may suspend or revoke an educator's continued ability to serve as a teacher at any public school based on unbecoming conduct).

Unbecoming conduct is defined as "conduct 'which adversely affects the morale or efficiency of the [department]' or 'has a tendency to destroy public respect for [government] employees and confidence in the operation of [public] services.'" *Bound Brook Bd. of Educ. v. Ciripompa*, 228 *N.J.* 4, 13 (2017) (quoting *In re Young*, 202 N.J. 50, 66 (2010), *Karins v. Atl. City*, 152 N.J. 532, 554 (1998)). "[A] finding of unbecoming conduct 'need not be predicated upon the violation of any particular rule or regulation, but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an

upholder of that which is morally and legal correct.'" *Id.* at 13-14 (quoting *Karins*, 152 N.J. at 555). "It focuses on the morale, efficiency, and public perception of an entity, and how those concerns are harmed by allowing teachers to behave inappropriately while holding public employment." *Id.* at 14. "The touchstone of the determination lies in the certificate holder's 'fitness to discharge the duties and functions of one's office or position.'" *Young*, 202 N.J. at 66 (citing *In re Grossman*, 127 N.J. Super. 13, 29 (App. Div. 1974)).

As noted above, after reviewing the record, the ALJ concluded that Perez engaged in conduct unbecoming by pinching a student's lips on multiple occasions and threatening the student that he would get his family deported if the student did not listen to him. The Board agrees with the ALJ's legal conclusion. The ALJ found that Perez committed both physical and emotional abuse of J.A., which made J.A. feel "vulnerable and frightened." Under the circumstances, the Board finds that Perez' actions here of pinching J.A.'s lips multiple times and threatening to deport his family was unbecoming conduct of an educator and not the behavior we would expect for a role model. *See IMO the Certificates of Theresa A. Lucarelli*, Bd. of Exam'rs. (decided November 5, 1998).

Having found that Perez engaged in unbecoming conduct, the Board must now determine the appropriate penalty to be applied. In doing so, the Board considers the "nature and gravity of the offenses under all the circumstances involved, any evidence as to provocation, extenuation or aggravation," and any "harm or injurious effect" on the maintenance of discipline and the proper administration of the school system. *In re Fulcomer*, 93 N.J. Super. 404, 422 (App. Div. 1967). "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.

Fitness to teach depends on a broad range of factors, including the teacher's impact and effect upon the students, because a "teacher works in a sensitive area in a schoolroom" and "shapes the attitude of young minds toward the society in which they live." *Grossman*, 127 N.J. at 30 (*quoting Adler v. Bd. of Educ. of City of New York*, 342 U.S. 485, 493 (1952)). Importantly, unfitness to hold a position in a school system may be shown by one incident if sufficiently flagrant. *Fulcomer*, 93 N.J. Super. at 421; *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, the ALJ determined that a six-month suspension was appropriate for Perez' conduct here after consideration of the mitigating factors. However, the Board disagrees that a six-month penalty is sufficient given the totality of the circumstances in this matter. Rather, the Board finds that a revocation of his teaching certificates is warranted. The Board agrees with the ALJ's mitigation determination that there was no sexual misconduct here, but disagrees that Perez' employment status and inability to teach in one district – specifically NPS – during the pendency of this matter are relevant factors. An educator's certificates remain active and valid until the Board has voted to take action, thus Perez has been eligible to teach during the pendency of this matter. The Board finds that the conduct here outweighs any mitigation that has been presented. Perez displayed a serious lapse of sound judgment for a role model for students when he repeatedly pinched a student's lips and threatened to have the student's family deported if he didn't listen to him. Thus, the Board finds that the appropriate penalty for Perez' conduct here is revocation of his certificates. *See Lucarelli, supra*.

Accordingly, on September 18, 2026, the Board voted to adopt the factual findings and legal conclusion in the Initial Decision and modify the penalty to a revocation of Perez' certificates. On this 29th day of October 2026, the Board formally adopted its written decision to adopt the

factual findings and legal conclusion in the Initial Decision in this matter, with modification of the penalty, and it is therefore ORDERED that Hansel Perez' Teacher of Elementary School in Grades K-8 Certificate of Eligibility with Advanced Standing (CEAS), Teacher of Bilingual/Bicultural Education Certificate of Eligibility (CE), Teacher of English as a Second Language (ESL) CE, School Business Administrator CE, Teacher of Comprehensive Business CEAS, Teacher of Students with Disabilities CE, Standard Teacher of Bilingual/Bicultural Education certificate, Standard Teacher of Comprehensive Business certificate, Standard Teacher of ESL certificate, Standard Teacher of Elementary School in Grades K-8 certificate, Standard Teacher of Students with Disabilities certificate, and Standard Supervisor certificate, are hereby REVOKED, effective immediately. It is further ordered that Perez return his 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.



Kimberly A. Gatti, Acting Secretary
State Board of Examiners

Date of Mailing: 10/29/2026
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 and *N.J.A.C.* 6A:4-1.3.