

EDE # 3390-04  
SBE #0304-136  
SB # 44-05

IN THE MATTER OF THE REVOCATION :  
OF THE CERTIFICATES OF MANUEL : STATE BOARD OF EDUCATION  
FERREIRA BY THE STATE BOARD : DECISION  
OF EXAMINERS. :

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Decision by the State Board of Examiners issued on October 13, 2005

For the Petitioner-Respondent, Patricia M. O'Neill, Deputy Attorney  
General (Zulima V. Farber, Attorney General of New Jersey)

For the Respondent-Appellant, David B. Rubin, Esq.

The decision of the State Board of Examiners to revoke the appellant's administrative and instructional certificates is affirmed for the reasons expressed therein.<sup>1</sup> In so doing, we reject the appellant's argument that any action should be limited to his administrative certification. We agree with the Administrative Law Judge ("ALJ") and the Board of Examiners that the appellant's conduct as demonstrated in the record also implicates his fitness to serve as a teacher and warrants revocation of his instructional as well as his administrative certificates, and we conclude that revocation of the appellant's instructional certification is sufficiently related to the facts to be justified. See I/M/O the Revocation of the Certificates of Hattie Black by the State

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<sup>1</sup> We note that we have granted the appellant's request to file an overlength brief and have considered that brief in determining this matter.

Board of Examiners, Docket #A-2635-03T1 (App. Div. 2005). As the ALJ explained in the matter now before us:

Because of their influence on students, teachers are held to a higher standard of conduct. Respondent's conduct was clearly intemperate and improper and not in accord with propriety, modesty, good taste or good manners. His pattern of conduct demonstrates an inability to deal with a conflict in a civilized, constructive manner and evidences a lack of control. This volatility has no place in an educational institution. Furthermore, his conduct demonstrates not only a lack of judgment but also a total disregard for the sensibilities of others. It cannot be allowed to continue.

Since I have found respondent's conduct to be unbecoming, I must revoke both respondent's instructional and administrative certifications....Respondent's conduct demonstrates a clear pattern of incivility and harassment incompatible with the classroom, as well as supervision of teachers. I, therefore, **CONCLUDE** that respondent's pattern of unbecoming conduct necessitates revocation of all of his certifications.

Initial Decision, slip op. at 57-58.

We fully concur with the ALJ's analysis, and we affirm the State Board of Examiners' decision.

April 5, 2006

Date of mailing \_\_\_\_\_