

New Jersey Commissioner of Education
Final Decision

In the Matter of the Revocation of the
Certificates of Lynderia Mansfield by
the State Board of Examiners.

Order of Revocation by the State Board of Examiners, November 1, 2019 For
the Respondent-Appellant, Eugene G. Liss, Esq.

For the Petitioner-Respondent State Board of Examiners, Sadia Ahsanuddin,
Deputy Attorney General (Gurbir S. Grewal, Attorney General of
New Jersey)

Appellant challenges the determination of the New Jersey State Board of
Examiners (Board) that her actions warranted the revocation of her Teacher of Pre-K through
Grade 3 Certificate of Eligibility, Teacher of Pre-K through Grade 3 Certificate, and Supervisor
Certificate.

In this matter, appellant was a teacher in the Newark School District (Newark).
Newark certified tenure charges against appellant for unbecoming conduct, corporal punishment,
insubordination, and other just cause. Newark alleged that appellant was abusive toward her
second-grade students, including yelling at them on a continuous basis, grabbing students by their
collars or clothing, and restricting bathroom use, which resulted in children urinating on
themselves. Following an arbitration, the Arbitrator found just cause to terminate appellant based
on the credible testimony of eyewitnesses, including students and parents. Thereafter, accepting
the facts as found in the tenure hearing, the Board found that appellant's behavior constitutes

conduct unbecoming a certificate holder and revoked appellant's certificates. This appeal followed.

On appeal, appellant argues that there is a dichotomy between the Arbitrator's findings and those made by the Institutional Abuse Investigation Unit (IAIU). According to appellant, the IAIU report found that she did not abuse her students and students were not forced to urinate on themselves. Appellant maintains that while she may have been short with her students due to having a difficult class at a stressful time in her life, she did not harm her students. Appellant also contends that her termination put a strain on her financially, causing her to lose her home and car. As such, appellant requests that the Commissioner reduce the penalty to a suspension rather than a license revocation.

In opposition, the Board argues that it properly applied the principle of collateral estoppel to bar re-litigation of the issues that were previously decided in the tenure hearing.

With respect to appellant's argument about the IAIU report, the Board points out that the report specifically says that it is solely investigative and is not making adjudicative findings. As such, given appellant's pattern of abusive behavior, the Board maintains that it correctly found that a revocation of appellant's certificates was the appropriate penalty.

In reviewing appeals from decisions of the State Board of Examiners, the Commissioner may not substitute her judgment for that of the Board so long as the appellant received due process and the Board's decision is supported by sufficient credible evidence in the record. Further, the Board's decision should not be disturbed unless the appellant demonstrates that it is arbitrary, capricious or unreasonable. *N.J.A.C. 6A:4-4.1(a)*.

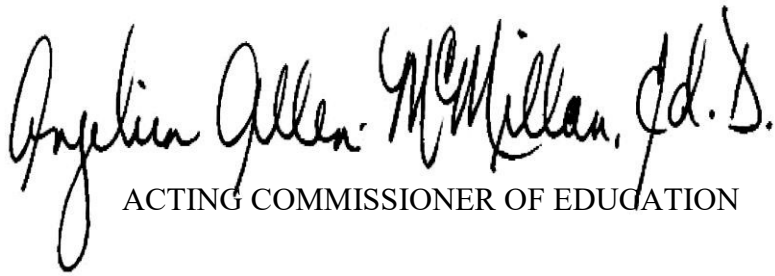
Initially, the record reflects that the appellant was afforded the necessary due

process throughout the proceedings before the Board prior to the revocation of her teaching certificates. Pursuant to *N.J.A.C. 6A:9B-4.6(e)*, the Board determined that it was constrained by collateral estoppel to accept the facts as found in the tenure hearing, so it was not necessary to transmit the matter to the Office of Administrative Law as no material facts were in dispute. Nevertheless, the appellant was given an opportunity to submit a written brief for the Board's consideration and appear in person before the Board.

After full consideration of the record and all submissions, the Commissioner concurs with the Board that the appellant engaged in unbecoming conduct. The record demonstrates that the appellant engaged in a pattern of abusive behavior, including yelling at students and grabbing them by their shirts or collars. The Board's determination in connection with the characterization of appellant's behavior as unbecoming conduct is fully supported by the record and consistent with applicable law. While appellant disagrees with the Board's finding that she abused her students, the facts set forth in the tenure hearing – including credible witness testimony and the weight of the evidence – support the Board's determination. The IAIU report, which is solely investigative, is not persuasive.

Additionally, the Commissioner finds that the record adequately supports the Board's determination that a revocation of appellant's certificates was the appropriate penalty given the disturbing and abusive nature of appellant's conduct toward second-grade students. The financial strain that appellant argues she will suffer is unconvincing and in no way demonstrates that a revocation is unwarranted. While appellant obviously disagrees that she engaged in unbecoming conduct and with the determination that her certificates should be revoked, there is nothing in the record to suggest that the Board's decision was arbitrary, capricious or unreasonable; therefore, the Commissioner finds no basis upon which to disturb the Board's decision.

Accordingly, the decision of the State Board of Examiners is hereby affirmed.¹


ANGELINA ALLEN-McMILLAN, J.D.S.
ACTING COMMISSIONER OF EDUCATION

Date of Decision: December 2, 2020

Date of Mailing: December 2, 2020

¹ This decision may be appealed to the Appellate Division of the Superior Court pursuant to *P.L. 2008, c. 36 (N.J.S.A 18A:6-9.1)*.