

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
CRAIG J. KUNKER : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1617-245

At its meeting of May 12, 2017, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) had forwarded regarding Craig J. Kunker. Kunker surrendered his Florida teaching licenses in September 2008 following allegations that he exposed himself to an undercover officer. The Education Practices Commission (EPC) of the State of Florida issued a Final Order which permanently revoked Kunker's certificate and permanently barred him from applying for another Florida educator's certificate. The tenure charges are incorporated herein by reference.

Kunker currently holds a Teacher of Physical Education Certificate of Eligibility With Advanced Standing, issued in June 1994 and a Teacher of Physical Education certificate, issued in October 1995. Upon review of the above information, at its June 15, 2017 meeting, the Board voted to issue Kunker an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Kunker the Order to Show Cause by regular and certified mail on June 20, 2017. The Order provided that Kunker had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Kunker did not file a response.

Thereafter, on July 26, 2017, the Board sent Kunker another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular copy was not returned. Kunker did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on August 21, 2017, the Board sent Kunker 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 his failure to file an Answer. Thus, Kunker 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 with

regard to the appropriate sanction in the event that the Board found just cause to take action against his certificates. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if his offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Kunker was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail was returned as “Unclaimed” and the regular mail copy was not returned. Once again, Kunker did not respond.

The threshold issue before the Board in this matter is whether Kunker’s conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Kunker failed to respond to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of November 1, 2017, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC. The Board concluded that no material facts related to Kunker’s offense were in dispute since he never denied that he engaged in the conduct alleged. Thus, the Board 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 Kunker had engaged in unbecoming conduct.

The Board must now determine whether Kunker’s conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificates pursuant to *N.J.A.C. 6A:9B-4.4*. The Board finds that it does.

The Board may revoke or suspend the certification of any 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*. “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). Kunker’s actions in exposing himself to an undercover officer demonstrate conduct that is inexcusable for a role

model. The Board therefore agrees with Florida's EPC and concludes that the appropriate response to Kunker's breach is the revocation of his New Jersey teaching certificates.

Accordingly, on November 1, 2017, the Board voted to revoke Craig J. Kunker's Teacher of Physical Education Certificate of Eligibility With Advanced Standing and his Teacher of Physical Education certificate, effective immediately. On this 8th day of December 2017 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Kunker's certificates be effective immediately. It is further ORDERED that Kunker 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.

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Robert R. Higgins, 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*.