

MILDRED WAALE, :
 :
 PETITIONER, : COMMISSIONER OF EDUCATION
 :
 V. : DECISION
 :
 NEW JERSEY STATE BOARD OF :
 EXAMINERS, :
 :
 RESPONDENT. :
 _____ :

SYNOPSIS

Petitioner appealed the respondent State Board of Examiners (SBE) determination that she had not met the requirements for certificates of eligibility (CE) for the School Administrator and Principal endorsements. The petitioner asserted that she had completed the requisite coursework for the CEs she sought, and that her prior internship and work experience established a one-to-one correspondence with the 300-hour internship required for the Principal CE. The SBE contended that petitioner had not satisfied the regulatory requirements set forth in *N.J.A.C. 6A:9-12.4(a)* and *N.J.A.C. 6A:9-12.5(a)*.

The ALJ found, *inter alia*, that: the petitioner carries the burden of demonstrating by a preponderance of the credible evidence that she is entitled to the certifications she seeks; petitioner has completed four out of five requirements for the issuance of a CE as a school administrator; the requirement in dispute is completion of the 30 graduate credits set forth in *N.J.A.C. 6A:9-12.4(a)(2)* and *N.J.A.C. 6A:9-12.5(a)*; while she has completed 30 graduate credits in addition to her MBA, no competent evidence was presented to support petitioner's contention that these credits were in the areas of study required under *N.J.A.C. 6A:9-12.4(a)(2)*; moreover, the appropriate representative of Rutgers University, where the credits were earned, affirmatively declined to issue the required Verification of Program Completion Form – which confirms to the SBE that a candidate has completed an approved program of study toward a New Jersey instructional endorsement; regarding her lack of required internship experience for a CE as a principal, petitioner contended that through her many years of prior experience in education, management and leadership, she acquired skills that are suitable to substitute for the 300 internship hours required by regulation; however, the SBE's determination that petitioner's experience is not directly equivalent to the actual responsibilities of a building principal is reasonable, and the regulatory language makes it clear that all 300 hours must be in an internship directly related to the responsibilities of a building principal. The ALJ concluded that the petitioner has not met her burden of demonstrating that the SBE's decision was arbitrary, capricious and unreasonable.

Upon review, the Commissioner concurred with the findings and conclusions of the ALJ, and accordingly adopted the Initial Decision as the final decision in this matter. The petition was dismissed.

This synopsis is not part of the Commissioner's decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

July 14, 2014

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Before the Commissioner is petitioner’s appeal of respondent’s determination that she has not met the requirements for earning certificates of eligibility for the endorsements of School Administrator and Principal. Upon review of the record and Initial Decision of the Office of Administrative Law (OAL),¹ the Commissioner concludes that the petition must be dismissed.

Issuance of the above referenced certificates of eligibility is conditioned upon the satisfaction of both academic and experiential requirements (internships). The testimony of Rutgers Certification Officer, Amy Wollock, and Robert Higgins, the Director of the Office of Certification and Induction at the New Jersey State Department of Education, revealed that while petitioner’s academic and professional credentials are impressive, she has not satisfied the regulatory requirements set forth in *N.J.A.C. 6A:9-12.4(a)* and *N.J.A.C. 6A:9-12.5(a)*.

Those regulations direct that, where a candidate has not earned a masters degree specifically in educational leadership, curriculum/instruction, or a recognized field of leadership or management,² and has not completed a post-masters certificate program in educational leadership or educational administration and supervision, he or she must also complete a post masters program in a

¹ Neither party has filed exceptions to the Initial Decision.

² The Commissioner interprets the phrase “recognized field of leadership or management” to necessarily assume the context of an educational setting.

coherent sequence of 30 semester hour credits which appear on the transcript of an accredited college or university. *N.J.A.C.* 6A:9-12.4(a)(1)(iii) and *N.J.A.C.* 6A:9-12.5(a)(1)(iii). The subject areas to be covered by the 30 semester hours are set forth in *N.J.A.C.* 6A:9-12.4(a)(2) and *N.J.A.C.* 6A:9-12.5(a)(2). Although petitioner did take various post-masters courses, she did not prove that they specifically covered all of the subject areas set forth in *N.J.A.C.* 6A:9-12.4(a)(2) and *N.J.A.C.* 6A:9-12.5(a)(2), or that they constituted a “post-masters program in a coherent sequence of 30 semester hours.” *N.J.A.C.* 6A:9-12.4(a)(1)(iii) and *N.J.A.C.* 6A:9-12.5(a)(1)(iii).

As to the experiential requirements for the certificates of eligibility which petitioner seeks, the parties appear to agree that she has satisfied those relative to a School Administrator Certificate of Eligibility. However, the Administrative Law Judge (ALJ) found, and the Commissioner concurs, that petitioner has not completed the 300 internship hours necessary for a Principal Certificate of Eligibility.

In light of the foregoing, the Commissioner cannot conclude that the Board of Examiners was arbitrary, capricious or unreasonable in its determination that petitioner has not yet completed the regulatory requirements for acquiring the certificates of eligibility which she seeks. The Initial Decision is therefore adopted – for exactly the reasons set forth by the ALJ in her thorough and meticulous findings of fact and law – and the petition is dismissed.

IT IS SO ORDERED.³

ACTING COMMISSIONER OF EDUCATION

Date of Decision: July 14, 2014

Date of Mailing: July 14, 2014

³ This decision may be appealed to the Superior Court, Appellate Division, pursuant to *P.L.* 2008, *c.* 36 (*N.J.S.A.* 18A:6-9.1).