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OAL Dkt. No. EDU 09401-25  
Agency Dkt. No. 95-4/25

**New Jersey Commissioner of Education**  
**Final Decision**

Latson W. Cockfield,

Petitioner,

v.

New Jersey Department of Education, State  
Board of Examiners,

Respondent.

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed and considered. The parties did not file exceptions.

By way of background, petitioner sought issuance of a Teacher of Business, Finance, Economics, and Law Certificate of Eligibility (CE) from the Board. The Board determined that petitioner has not satisfied the requirements for issuance of the CE because he has not completed three (3) semester-hour credits in economics and three (3) semester-hour credits in business law as required by *N.J.A.C. 6A:9B-10.12*. Moreover, the Board determined that certain supplemental information petitioner submitted to the Board during the credentials review conducted pursuant to *N.J.A.C. 6A:9B-4.12* did not demonstrate a one-to-one relationship with the outstanding regulatory requirement.

Petitioner appealed to the Commissioner, and the Board filed a motion to dismiss in lieu of answer. The matter was transmitted to the OAL for further proceedings. In a submission to

the OAL dated June 16, 2025, petitioner provided additional information, including a list of business-related coursework purportedly constituting a coherent sequence totaling more than 30 credits, with at least 12 credits earned at an advanced level, and related transcripts; state-issued insurance licenses from New Jersey and South Carolina; and written verification from Passaic County Community College that he taught Business Law and Introduction to Business courses at that institution.

The Administrative Law Judge (ALJ) granted respondent's motion to dismiss the petition upon concluding that the Board was "prohibited" from substituting petitioner's alternative education and/or workplace experience for the outstanding three (3) semester-hour credits in economics and three (3) semester-hour credits in business law per *N.J.A.C. 6A:9B-4.12*. Initial Decision at 6-7.

Upon review, the Commissioner rejects the ALJ's conclusion and determines that a remand to the Board is warranted. The Commissioner disagrees that the Board is barred from considering alternative education and/or workplace experience to address the missing credits. The Board may indeed consider whether alternative education and/or work experience demonstrates a one-to-one relationship with the outstanding regulatory requirement as part of the credential review process. *N.J.A.C. 6A:9B-4.12(b)*; *Brady v. N.J. Dep't of Educ., State Bd. of Exam'rs*, Commissioner Decision No. 36-25, at 2 (Jan. 30, 2025).

If an application for certification is deemed deficient, the candidate may provide the Board with "evidence of alternative education and/or experience that the candidate considers equivalent to any area(s) of deficiency." *N.J.A.C. 6A:9B-4.12(b)*. "In this instance, the Board does not waive requirements, rather, it determines if the experience and/or study presented is

equivalent to the requirements for issuance of the [requested] certificate.” *Hutchinson v. N.J. State Bd. of Exam’rs*, EDU 16373-12, Initial Decision at 13 (Apr. 5, 2013), *adopted*, Commissioner Decision No. 177-13 (May 15, 2013). Specifically, the Board has discretion to determine whether the alternative experience “establishes a one-to-one correspondence” with the requirements for certification. *Ibid.* “The burden is on the applicant to present the information necessary to establish the ‘one-to-one correspondence’ of experience/alternate education to the licensing deficiencies.” *Ibid.*

The Commissioner finds that a remand to the Board is warranted for two reasons. First, the Board has not had the opportunity to evaluate the additional information submitted to the OAL by petitioner. Second, the Board has not explained which credits it has accepted toward the regulatory requirement. While the Commissioner accepts that credits cannot be double counted, without information as to which courses have already been credited by the Board, the Commissioner cannot determine whether there are sufficient remaining credits among petitioner’s other coursework to satisfy the requirements. *See Eladio Conchas Guzman v. N.J. Dep’t of Educ., State Bd. of Exam’rs*, Commissioner Decision No. 513-25, at 5 (Oct. 31, 2025).

Accordingly, this matter is remanded to the Board for further proceedings consistent with this decision.

IT IS SO ORDERED.



COMMISSIONER OF EDUCATION

Date of Decision: March 11, 2026

Date of Mailing: March 11, 2026



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION GRANTING**

**MOTION TO DISMISS**

OAL DKT. NO. EDU 09401-25

AGENCY DKT. NO. 95-4/25

**LATSON W. COCKFIELD,**

Petitioner,

v.

**NEW JERSEY DEPARTMENT OF EDUCATION,**

**STATE BOARD OF EXAMINERS,**

Respondent.

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**Frances E. Barto, Esq.,** for petitioner (Barto & Barto, LLC, attorneys)

**David Kalitsky,** Deputy Attorney General, for respondent (Matthew J. Platkin,  
Attorney General of New Jersey, attorney)

Record Closed: November 14, 2025

Decided: December 16, 2025

BEFORE **WILLIAM T. COOPER III,** ALJ:

**STATEMENT OF THE CASE AND PROCEDURAL HISTORY**

Petitioner Latson W. Cockfield appeals respondent New Jersey Department of Education, State Board of Examiners' (Board's), December 6, 2024, denial of the issuance of a Teacher of Business: Finance/Economics/Law Certificate of Eligibility (CE).

The denial noted that petitioner satisfied the requirements toward a certification except for the completion of three semester-hour credits in economics and three semester-hour credits in business law.

On May 28, 2025, the Department of Education transmitted the matter to the Office of Administrative Law (OAL), where on May 29, 2025, it was filed as a contested case pursuant to N.J.S.A. 52:14F-1 to -13 and N.J.S.A. 52:14B-1 to -15.

In lieu of filing an answer to the petition, respondent filed a motion to dismiss. Petitioner responded to the motion on November 10, 2025.

This case does not present divergent facts. Respondent argues that the Board properly denied the issuance to petitioner of a Teacher of Business: Finance/Economics/Law CE. Petitioner, however, argues that his resumé, together with his work background and history of teaching, supports the issuance of a CE. The issue to be determined in this appeal is whether respondent properly denied petitioner's request that his background in finance, prior completed course work, and prior work history be accepted in lieu of the certification requirements for a CE.

### **FINDINGS OF FACT**

Having reviewed the briefs submitted in support of and in opposition to the motion to dismiss, I **FIND** the following as **FACTS**:

Petitioner applied for a CE, and on December 6, 2024, respondent denied petitioner's application. In its decision, respondent noted that under N.J.A.C. 6A:9B-9.1(a)(1)(iii), candidates for an instructional certificate must complete at least thirty semester-hour credits "in a coherent sequence of courses appropriate to the subject area as documented by an official transcript from an accredited college or university," of which twelve semester-hour credits must be "at the advanced level of study, including junior-, senior-, or graduate-level study as documented by the official transcript of an accredited college or university." Respondent also noted that under N.J.A.C. 6A:9B-10.12, for the finance, economics, and law certificate of eligibility, at least six semester-hour credits

must be in economics, three semester-hour credits must be in finance, and three semester-hour credits must be in business law.

Petitioner acknowledges that he has not earned a degree in finance, economics, or law. In light of this, respondent evaluated courses appropriate to those subject areas based on petitioner's transcripts from the American College of Financial Services, where he earned a master's degree in financial services in 2001, and Morris College, where he earned a bachelor's degree in organizational management in 2010. Based upon a review of those transcripts, respondent determined that petitioner satisfied the requirements toward certification except for the completion of three semester-hour credits in economics and three semester-hour credits in business law.

Petitioner admitted that he has not met the statutory requirements, but requested that respondent accept, in lieu of those requirements: (1) his experience as a substitute teacher in South Carolina, where he taught business law, business management, entrepreneurship, accounting, and marketing; (2) his experience as an adjunct professor at Passaic County Community College, where he taught business management and business law; (3) his experience as an insurance instructor at the Cape School in Buckingham, Virginia; and (4) his receipt of an Army Achievement Medal.

### **CONCLUSIONS OF LAW**

"Specific pleading requirements are governed by the agency with subject matter jurisdiction over the case." N.J.A.C. 1:1-6.1(a). The rules require that a "petition shall include . . . a statement of the specific allegation(s) and essential facts supporting the specific allegation(s) that have given rise to a dispute pursuant to the school laws." N.J.A.C. 6A:3-1.4(a). When deficient or inadequate petitions are presented to the Commissioner, at any time prior to transmittal of the pleadings to the OAL—either in the Commissioner's discretion or upon a motion to dismiss filed in lieu of answer—the Commissioner may dismiss the petition on the grounds that the petitioner has not advanced any cause of action, even if the petitioner's factual allegations are accepted as true. See N.J.A.C. 6A:3-1.10.

In fulfilling their quasi-judicial responsibilities, State agencies look to judicial principles for guidance. Hackensack v. Winner, 82 N.J. 1, 28–30 (1980). “[C]ourt-fashioned doctrines for the handling of litigation do in fact have some genuine utility and relevance in administrative proceedings.” Id. at 29. The New Jersey Supreme Court further held,

many principles and rules that govern judicial proceedings and determinations can be applied to an agency’s quasi-judicial or adjudicative function. Judicial rules of procedure and practice are transferable to administrative agencies when these are conducive to ensuring fairness, independence, integrity, and efficiency in administrative adjudications.

[In re Tenure Hearing of Onorevole, 103 N.J. 548, 554–55 (1986).]

Thus, the principles that govern a motion to dismiss for failure to state a claim under R. 4:6-2(e) apply equally to a motion to dismiss for failure to advance a cause of action under N.J.A.C. 6A:3-1.10.

In deciding a motion to dismiss for failure to state a claim upon which relief can be granted under R. 4:6-2(e), “the inquiry is confined to a consideration of the legal sufficiency of the alleged facts apparent on the face of the challenged claim.” Rieder v. State, Dep’t of Transp., 221 N.J. Super. 547, 552 (App. Div. 1987) (citation omitted). The court may not consider anything beyond whether the complaint states a cognizable cause of action. Ibid. For purposes of determining the motion, the court must “assume the facts as asserted by [petitioners] are true and give [them] the benefit of all inferences that may be drawn in [their] favor.” Velantzas v. Colgate-Palmolive Co., 109 N.J. 189, 192 (1988). If the complaint states no basis for relief and discovery would not supply one, dismissal is the appropriate remedy. Banco Popular N. Am. v. Gandi, 184 N.J. 161, 166 (2005). If the factual allegations are “palpably insufficient to support a claim upon which relief can be granted,” the court must dismiss the complaint. Rieder, 221 N.J. Super. at 552. Moreover, it “runs against the grain of public policy to force a public entity to incur the cost of defending an action that ultimately and undoubtedly will be dismissed on the merits.” Tryanowski v. Lodi Bd. of Educ., 274 N.J. Super. 265, 268–69 (Law Div. 1994).

In New Jersey, respondent has been designated as the body responsible for the issuance of and revocation of appropriate certificates to teach, as well as the supervision of the teaching, instruction, or educational guidance of students in public schools. N.J.S.A. 18A:6-38.

The general requirements for any certificate are found at N.J.A.C. 6A:9B-8.3(a), which states in relevant part:

1. Hold a bachelor's or an advanced degree from an accredited college or university; [and]

. . . .

4. Satisfy the endorsement requirements and exceptions pursuant to N.J.A.C. 6A:9B-9, 10, and 11, including, but not limited to, passing the appropriate State test(s) of subject matter knowledge and **completing the required subject-area course requirements**.

[Emphasis added.]

To fulfill the endorsement requirements necessary for an instructional certificate under N.J.A.C. 6A:9B-9.1(a), a candidate shall:

Complete one or more of the following coursework requirements for the subject area in which the candidate is seeking the endorsement:

(i) Complete an undergraduate major in the subject area as documented by an official transcript from an accredited four-year college or university;

(ii) Hold a graduate degree in the subject area; or

(iii) Complete at least 30 credits in a coherent sequence of courses appropriate to the subject area as documented by an official transcript from an accredited college or university, of which 12 semester-hour credits must be at the advanced level of study, including junior-, senior-, or graduate-level study as documented by the official transcript from an accredited four-year college or university . . . .

Here, petitioner admittedly never completed an undergraduate major in finance, economics, and law, nor did he hold a graduate degree in the subject area. He was required to complete at least thirty semester-hour credits in the subject area, of which at least twelve semester-hour credits were at the advanced level of study, as documented by an official transcript from an accredited college or university. Under N.J.A.C. 6A:9B-10.12(a), of those thirty credits, a candidate for the finance, economics, and law endorsement must complete at a two- or four-year accredited college or university:

1. At least six semester-hour credits in economics;
2. At least three semester-hour credits in finance; and
3. At least three semester-hour credits in business law.

In lieu of the aforementioned requirements, petitioner provided this tribunal with evidence of alternative education and/or workplace experience that he considers equivalent to the admitted deficiencies. Petitioner argues that he is qualified to teach in the areas of finance and economics as evidenced “by his resumé, his background, and his history of teaching as outlined” in respondent’s motion to dismiss. This argument fails to recognize the limitations placed on respondent under the regulations.

N.J.A.C. 6A:9B-4.12, Appeals of Office certification decisions, states in relevant part:

(a) A candidate for certification may appeal to the Board of Examiners an adverse decision of the Office regarding the candidate’s eligibility.

1. The appeal shall be filed with the Board of Examiners within 60 days of the date of the decision at issue. For good cause shown, the Board of Examiners may relax the 60-day requirement.

(b) If a candidate receives an evaluation that identifies areas of deficiency in the certification requirements, pursuant to N.J.A.C. 6A:9B-5.3(c), the candidate may provide the Board of Examiners with evidence of alternative education

and/or experience that the candidate considers equivalent to any area(s) of deficiency.

- (c) The Board of Examiners **shall not**:
1. **Waive any test, GPA, degree completion, or approved educator preparation program completion requirements;**
  2. **Permit a candidate to substitute education and/or experience for any test, GPA, degree, or approved educator preparation program completion requirements;** or
  3. Issue a certificate that is expired and/or is not a type of certificate endorsement set forth at N.J.A.C. 6A:9B-9 through 11A.

[Emphasis added.]

Respondent correctly noted in its decision denying the CE that it was prohibited from substituting petitioner's work experience for the three semester-hour credits in economics and three semester-credits in business law. Applying the law to the undisputed facts as detailed, I **CONCLUDE** that petitioner's application was properly denied.

For purposes of this motion, this tribunal assumes that the facts asserted by petitioner are true and gives petitioner the benefit of all inferences that may be drawn in his favor. However, the factual allegations raised by petitioner are palpably insufficient to overcome the edict of N.J.A.C. 6A:9B-4.12, which prohibits petitioner's request for relief. I **CONCLUDE** that the petition fails to state a claim upon which relief can be granted and must be dismissed.

### **ORDER**

Based on the foregoing, respondent's motion to dismiss the petition is **GRANTED**.

I hereby **FILE** this initial decision with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION** for consideration.

This recommended decision may be adopted, modified or rejected by the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**, who by law is authorized to make a final decision in this matter. If the Commissioner of the Department of Education does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**. Exceptions may be filed by email to [ControversiesDisputesFilings@doe.nj.gov](mailto:ControversiesDisputesFilings@doe.nj.gov) or by mail to **Office of Controversies and Disputes, 100 Riverview Plaza, 4th Floor, PO Box 500, Trenton, New Jersey 08625-0500**. A copy of any exceptions must be sent to the judge and to the other parties.



December 16, 2025

DATE

WILLIAM T. COOPER III, ALJ

Date Received at Agency:

December 16, 2025

Date Mailed to Parties:

December 16, 2025

WTC/am

**APPENDIX**

**Exhibits**

**For petitioner:**

Response to Motion to Dismiss

**For respondent:**

Motion to Dismiss with attached exhibits