

New Jersey Commissioner of Education

Final Decision

In the Matter of the Certificates of Christina Owens, State Board of Examiners, New Jersey Department of Education

The Commissioner has reviewed the record and papers filed in connection with appellant Christina Owens's appeal of the Order of the State Board of Examiners (Board) dated August 4, 2023, revoking her Teacher of Elementary Grades K-8 Certificate of Eligibility with Advanced Standing, standard Teacher of Elementary Grades K-8 certificate, Principal Certificate of Eligibility, and Supervisor Certificate.

Appellant was a non-tenured teacher in the Dover School District (District). On May 9, 2022, the District issued appellant a notice of termination, effective June 7, 2022, for reporting to work under the influence of alcohol. Earlier that day, appellant submitted to two blood alcohol tests, the results of which were positive for alcohol.

On or about September 22, 2022, upon receiving information from the District, the Board issued an Order to Show Cause (OSC) as to why appellant's certificates should not be revoked. On December 6, 2022, appellant filed an answer to the OSC. Appellant admitted that she drank alcohol, stating, "I had very little to eat and alcohol on an empty stomach. I pride myself in not being under the influence of alcohol around my daughter or any child. I made a poor judgment on the morning of the 9th. I should have called out that day." Answer to Board's Order to Show

Cause at 1. Appellant also contended, “I don’t believe the mistake on my free time should be reflected in how I’ve been a teacher for almost 18 years.” *Ibid.*

On April 6, 2023, the Board issued appellant a letter stating it had received her response to the OSC and, “After review of that response, it appears that no material facts are in dispute. Therefore, the State Board of Examiners may hear the matter directly.” Opposition Brief, Exhibit H. The Board instructed appellant that she had 30 days from the mailing date of the letter to submit a brief for the Board’s consideration. The Board also provided appellant the opportunity to appear before the Board to offer testimony on the sanction issue. *Ibid.*

Appellant alleges that she did not receive the April 6, 2023, letter from the Board until May 3, 2023. On May 4, 2023, appellant emailed the Board, requesting an extension to file a written submission given the delay in her receipt. In addition, appellant notified the Board that she would like to appear before the Board. On May 5, 2023, the Coordinator for the Board granted appellant an extension until June 30, 2023. Despite the extension, in a letter dated June 20, 2023, the Board advised appellant that it would be considering her matter without oral argument at a meeting on June 29, 2023. The letter was mailed to the District, appellant’s former employer, and the certified mail receipt indicates that the letter was received on June 29, 2023, the same day of the Board meeting. Appellant’s Brief, Exhibit H.

On June 29, 2023, the Board voted to revoke appellant’s certificates after finding that appellant engaged in unbecoming conduct. In reaching its determination, the Board found that appellant admitted to the conduct; therefore, there were no material facts in dispute. Appellant did not file a written submission before the June 29, 2023, meeting. On August 4, 2023, the Board

voted to adopt its formal written decision revoking appellant's certificates. On February 11, 2025, appellant appealed the Board's decision to the Commissioner.

On appeal, appellant contends that the Order of Revocation is based on arbitrary assumptions and misstatements of facts and therefore should be reversed or referred to an administrative law judge for further fact-finding. In addition, appellant argues that the Board erred in determining that there are no material facts in dispute. According to appellant, because her answer to the OSC disputes the Board's allegation that she was intoxicated in the workplace, the Board was required to provide appellant a hearing pursuant to *N.J.A.C. 6A:9B-4.6(d)*. Appellant further argues that even if the Board correctly found that no material facts were in dispute, the Board violated *N.J.A.C. 6A:9B-4.6(e)* when it considered the matter to revoke appellant's teaching certificates prior to the written submission deadline on June 30, 2023. Next, appellant alleges that she did not receive the June 20, 2023, notice that the Board would consider her matter at their meeting on June 29, 2023, because the letter was mailed to the District and she did not receive any communication from the District regarding the letter. Furthermore, appellant contends that the certified mail receipt shows that the District did not receive the letter until June 29, 2023, the day of the hearing. Appellant argues that due to this improper notice, she was not given an opportunity to be heard. Regarding the timeliness of appellant's appeal, appellant argues that the USPS tracking record shows that she did not receive the notice and Order of Revocation sent by the Board on August 18, 2023. Appellant further argues that she did not learn that an Order of Revocation had been entered until November 2024. Lastly, appellant contends that the revocation of her certificates is unduly harsh considering the circumstances.

In its opposition brief, the Board argues that the record contains credible evidence supporting a finding that appellant engaged in unbecoming conduct, such as appellant's statement that she "had very little to eat and alcohol on an empty stomach" and the fact that appellant tested positive for alcohol. The Board also asserts that unbecoming conduct has been found in similar matters where a teacher reported to work under the influence of alcohol or illicit substances. Given this, the Board contends that there are no genuine issues of material fact precluding the Commissioner from finding that appellant engaged in unbecoming conduct. As to the penalty, the Board argues that the revocation of appellant's teaching certificates was not unduly harsh.

In addition, the Board argues that it provided notice to appellant that her certificates had been revoked via regular and certified mail. The Board acknowledges that while the certified mail was returned, the regular mail was not, and argues that if the regular mail was received by appellant, she was aware of the Board's decision to revoke her certificates. Lastly, the Board contends that it did not violate New Jersey law when it considered the matter to revoke appellant's teaching certificates at the Board meeting on June 29, 2023 "because it was not done prior to the written submission deadline and [appellant] was given sufficient time to respond." Opposition Brief, at 15. Furthermore, the Board argues that on June 20, 2023, it informed appellant by email and by regular and certified mail of the Board meeting on June 29, 2023, where she could have presented her case. The Board asserts that if there was any discrepancy regarding the date of the meeting and the extension appellant was granted, she could have alerted the Board to remedy the issue.

In reply, appellant asserts that there is no evidence that she was under the influence or that she engaged in unbecoming conduct. Appellant also reiterates that the Order of Revocation was based on arbitrary and erroneous interpretations of appellant's response to the OSC and that appellant was not afforded an opportunity to appear before the Board to offer testimony.

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. The Commissioner's role in reviewing appeals is constrained by *N.J.A.C. 6A:4-4.1(a)*, which specifies that "the Commissioner shall ascertain whether the decision is supported by sufficient credible evidence in the record and shall not disturb the decision unless the appellant has demonstrated the State Board of Examiners . . . acted in a manner that was arbitrary, capricious, or contrary to law." See *Morison v. Willingboro Bd. of Educ.*, 478 N.J. Super. 229, 238 (App. Div. 2024) (citing *N.J.A.C. 6A:4-4.1(a)*).

Pursuant to *N.J.A.C. 6A:9B-4.6(e)*, "[i]f the certificate holder files an answer and no material facts appear to be in dispute, the Secretary shall send the certificate holder a hearing notice informing the holder of the opportunity to submit written briefs, affidavits, and other supporting documentation for the Board[s] consideration." Furthermore, "[a]fter receipt of the written submissions . . . the Secretary shall place the matter on the Board of Examiners' agenda and notify the certificate holder of the date the Board of Examiners will consider the matter. The notice shall advise the certificate holder whether the holder's appearance is necessary." *N.J.A.C. 6A:9B-4.6(f)*.

After a comprehensive review of the record, the Commissioner finds that the Board did not follow the timeline established by *N.J.A.C. 6A:9B-4.6(f)* when it considered the matter to revoke appellant's teaching certificates at its meeting on June 29, 2023, which took place prior to the deadline for written submissions.

In accordance with *N.J.A.C. 6A:9B-4.6(e)*, after receiving appellant's answer to the OSC and determining that no material facts appear to be in dispute, the Board sent appellant a hearing notice on April 6, 2023, informing her of the opportunity to submit written briefs for the Board's consideration. On May 5, 2023, the Board granted appellant's extension request and set the deadline to submit written submissions for June 30, 2023. The Board therefore should not have considered appellant's matter until it received her submission or until the deadline for written submissions had passed (whichever came first). See *N.J.A.C. 6A:9B-4.6(f)*. As such, the Commissioner is constrained to remand this matter to the Board to provide appellant the opportunity to submit written submissions. Appellant shall have 30 days from the mailing date of the Commissioner's decision to file a written submission under *N.J.A.C. 6A:9B-4.6(e)*. After receipt of the written submission or the deadline has passed, the Board is directed to notify appellant of the date that the Board will consider her matter pursuant to *N.J.A.C. 6A:9B-4.6(f)*. Furthermore, the notice must also advise appellant whether her appearance is necessary.

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


COMMISSIONER OF EDUCATION

Date of Decision: March 16, 2026
Date of Mailing: March 16, 2026

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
CHRISTINA L. OWENS : ORDER OF REVOCATION
_____ : DOCKET NO: 2122-198

At its meeting of August 5, 2022, the State Board of Examiners (Board) reviewed information that the Dover School District (Dover) forwarded regarding Christina L. Owens. In accordance with *N.J.A.C. 6A:9B-4.3(a)(2)*, Dover provided the State Board of Examiners (Board) with information regarding Owens. On May 9, 2022, Owens was accused of reporting to work under the influence of alcohol. On or about June 7, 2022, Owens was terminated from her teaching position with Dover.

Owens currently holds a Teacher of Elementary Kindergarten through Grade 8 Certificate of Eligibility with Advanced Standing, issued June 2004; a standard Teacher of Elementary Kindergarten through Grade 8 certificate, issued September 2007; a Principal Certificate of Eligibility, issued August 2013; and a Supervisor certificate, issued August 2013. Upon review of the above information, at its September 16, 2022 meeting, the Board voted to issue Owens an Order to Show Cause as to why her certificates should not be revoked.

The Board sent Owens the Order to Show Cause by regular and certified mail on September 20, 2022. The Order provided that Owens had 30 days to respond. Owens filed an Answer on December 6, 2022. The answer explained her conduct by providing some information on personal circumstances related to grief that resulted in her intoxication at school. Owens did not deny the conduct, but rather indicated she should have called out of work.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on April 6, 2023, the Board sent Owens a hearing notice by email, regular and certified mail. The notice explained that there appeared to be no material facts in dispute. Thus, Owens was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause provided just cause to take action against her certificates as well as arguments with regard to the appropriate sanction in the event that the Board determined to take action against her certificates. It also explained that upon review of the charges against her and the legal

arguments tendered in her defense, the Board would determine if Owens's offense warranted action against her certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Owens was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail was received and signed, and the regular mail was not returned. Owens did not file a submission nor request to appear before the Board.

The threshold issue before the Board in this matter is whether Owens's conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of June 29, 2023, the Board considered the allegations in the Order to Show Cause as well as Owens's Answer. The Board determined that no material facts related to Owens's offense were in dispute since she admitted the conduct. 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 Owens engaged in unbecoming conduct.

The Board must now determine whether Owens's conduct, as set forth in the Order to Show Cause, provides just cause to act against her 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). Owens's conduct in reporting for work under the influence indicates a serious lapse in judgment. Owens failed to offer substantial information by way of mitigation and therefore the Board concludes that the appropriate response to her breach is a revocation of her certificates.

Accordingly, on June 29, 2023, the Board voted to revoke Christina L. Owens' Teacher of Elementary Kindergarten through Grade 8 Certificate of Eligibility with Advanced Standing, standard

Teacher of Elementary Kindergarten through Grade 8 certificate, Principal Certificate of Eligibility, and Supervisor certificate. On this 4th day of August 2023, the Board voted to adopt its formal written decision and it is therefore ORDERED that Owens' certificates are hereby revoked, effective immediately. It is further ORDERED that Owens return her 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.



Rani Singh, Secretary
State Board of Examiners

Date of mailing: AUG 7, 2023
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*.