

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
JEREL H. WOLFE : ORDER OF SUSPENSION  
\_\_\_\_\_ : DOCKET NO: 2021-154

At its meeting of May 13, 2021, the State Board of Examiners (Board) reviewed information it received regarding Jerel H. Wolfe from the Office of Student Protection (OSP) and the Middlesex County Prosecutor's Office. On or about June 25, 2020, Wolfe allegedly kept a passenger in his car against her will and then disregarded a police officer's attempt to pull him over, failing to stop for approximately one mile after an officer activated his emergency lights. Once stopped, Wolfe refused multiple commands to show his hands, then refused to get out of the car and argued with officers. Wolfe was removed from the vehicle and handcuffed.

On March 10, 2021, Wolfe was Accused, after waiving indictment, of Eluding (3rd degree) and Criminal Restraint (3rd degree) and was entered into the Pre-trial Intervention program for a period of 36 months, along with drug/alcohol testing, medical/psychological tests/evaluations and/or counseling and no contact with the victim.

Wolfe is the holder of a Teacher of Elementary K-6 Certificate of Eligibility (CE), issued October 2007; a Teacher of Students with Disabilities CE, issued March 2008; and a Teacher of Elementary Grades K-6 Certificate, issued August 2010.

The Board sent Wolfe the Order to Show Cause by regular and certified mail on July 1, 2021. The Order provided that Wolfe must file an Answer within 30 days. Wolfe responded on July 28, 2021. In his Answer, Wolfe denied that he held anyone against their will or ignored officers' attempts to pull him over. *See Answer at ¶ 3.* He stated that he did not exit the vehicle

immediately because 10-15 officers had guns drawn on him and he was nervous. *Id.* He admitted he was entered into Pretrial Intervention but notes that he was not found guilty of any charge nor did he plead guilty. *Id.* at ¶ 3.

Since there were material facts in dispute, on August 2, 2021, the Board transmitted the matter to the Office of Administrative Law (OAL) for hearing as a contested case. Administrative Law Judge (ALJ) Kim C. Belin heard the matter via Zoom on July 19, 2022 and continued the hearing on October 24, 2022. The record closed on December 5, 2022. ALJ Belin issued an Initial Decision on March 6, 2023. *In the Matter of the Certificates of Jerel H. Wolfe*, Dkt. No. EDE 06425-21, Agency Dkt. 2021-154 (Initial Decision., March 6, 2023).

After reviewing the testimony and the record, ALJ Belin found that Wolfe engaged in conduct unbecoming a teacher when he kept a passenger in his car against her will, disregarded a police officer's attempt to pull him over and failed to stop for about 1 mile. *Id.* at p. 13. This conduct warranted a suspension for 3 years. ALJ Belin found that Wolfe had not worked under his certificates since June 25, 2020, and as such the suspension should continue until June 25, 2023. *Id.*

ALJ Belin found factors that mitigate the penalty. Specifically, Wolfe's conduct occurred outside the school day and did not involve students. *Id.* at p. 12. Further, Wolfe testified that he has received counseling to help him understand how to avoid repeating the incident. *Id.* In light of these factors, ALJ Belin determined that although Wolfe's conduct was egregious, the totality of the facts do not compel revocation. *Id.*

The Deputy Attorney General (DAG) representing the Board filed Exceptions. In the Exceptions, the DAG argued that the ALJ erred in finding that Wolfe did not cause the passenger's wounds. *See* Exceptions at p. 9. The DAG further argued that keeping a passenger in a vehicle

against their will and disregarding a traffic stop for over one mile is unbecoming conduct that warrants revocation of his educator certificates. *Id.* at p. 16. Wolfe declined to file a reply to the exceptions.

The Board must now determine whether to adopt, modify, or reject the Initial Decision in this matter. At its meeting of May 18, 2023, the Board reviewed the Initial Decision and Exceptions. After full and fair consideration of the Decision, the Board voted to adopt the Initial Decision, with modification as to penalty.

“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. There is no doubt that the ALJ is in the best position to render credibility determinations in this matter. An agency head should not disturb the credibility determinations that are made after properly considering witness testimony and demeanor during a hearing. *H.K. v. State, Dep’t of Hum. Servs., Div. of Med. Assistance & Health Servs.*, 184 N.J. 367, 384 (2005).

As noted above, after assessing the evidence and credibility of the witnesses, ALJ Belin concluded that Wolfe engaged in the alleged conduct, although she was unable to conclude he caused the wounds on the passenger. ALJ Belin determined that a 3-year suspension was appropriate for the conduct, but reduced that amount by using “time served” on suspension since Wolfe had not used his educator certificates for approximately 2 years.

The Board agrees that a 3-year suspension is appropriate in this case and adopts the findings of fact and resultant penalty. However, the Board does not agree that the suspension began in August 2020 when Wolfe chose not to be employed in a position that required his educator certificates. During the pendency of the Order to Show Cause, all certificates remain valid and

effective. Accordingly, it was Wolfe's choice not to use the educator certificates and he is not entitled to a reduction of his suspension time as a result. Accordingly, the 3-year suspension should not be backdated to the last date Wolfe was employed under his educator certificates. The Board finds that the 3-year suspension is effective upon the date of adoption of this Decision.

Accordingly, on May 18, 2023, the Board voted to adopt the Initial Decision with modification as to penalty and ordered a 3-year suspension of Wolfe's certificates from the date of this Decision. On this 29<sup>th</sup> day of June 2023, the Board formally adopted its written decision to adopt, with modification as to penalty, the Initial Decision in this matter and it is therefore ORDERED that Jerel H. Wolfe's Teacher of Elementary K-6 CE, Teacher of Students with Disabilities CE, and Teacher of Elementary Grades K-6 Certificate are hereby SUSPENDED for a period of 3 years, effective immediately. It is further ordered that Wolfe 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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Rani Singh, Secretary  
State Board of Examiners

RS/KAG/cf

**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.