

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
KERRY M. (CHOPLIN) DRAUS : ORDER OF SUSPENSION

: DOCKET NO: 2324-173

At its meeting of April 11, 2025, the State Board of Examiners (Board) reviewed information from the Office of Student Protection (OSP) and the Cape May County Prosecutor's Office (CMCPO) regarding Kerry M. (Choplin) Draus. Draus currently holds a Standard School Counselor certificate, issued in July 2014.

On or about August 16, 2024, Draus was charged with Aggravated Assault (3rd degree), *N.J.S.A. 2C:12-1(b)(12)*; Possession of a Weapon for Unlawful Purpose (3rd degree), *N.J.S.A. 2C:39-4(d)*; and Unlawful Possession of a Weapon (4th degree), *N.J.S.A. 2C:39-5(d)*. It was alleged that Draus struck her husband in the head by throwing a wine bottle and/or wine glass at him, causing injuries and lacerations to his head. On December 3, 2024, Draus was entered into Pre-Trial Intervention (PTI) for twelve (12) months and was ordered to complete drug/alcohol testing and/or counseling as directed, to continue to comply with her counseling and follow any recommendations, to have no unlawful contact with the victim, and to pay fees and costs.

Upon review of the above information, the Board voted at its May 22, 2025 meeting to issue Draus an Order to Show Cause as to why her certificates should not be revoked. The Board sent Draus the Order to Show Cause by regular and certified mail, return receipt requested, on May 23, 2025. The Order provided Draus 30 days to respond pursuant to *N.J.A.C. 6A:9B- 4.6(b)*. On June 4, 2025, Draus submitted an Answer to the Order to Show Cause. *See Answer.*

In her Answer, Draus acknowledged that she was charged with Aggravated Assault and Possession of a Weapon for Unlawful Purpose. *Id.* at ¶ 3. She admitted that she had been out

drinking with her husband and that after they returned to their apartment, “[she] threw a wine glass and hit [her] husband in the head.” *Id.* at ¶ 4. She further admitted that she “called 911 after this incident and when the police arrived to [their] apartment, [she] told them what happened.” *Ibid.* She regrets her actions and thinks about the incident every day. *Ibid.* She claimed that she has “made several changes in [her] life to become a better version of [her]self” and is 9.5 months sober. *Ibid.* Further, she meets with a therapist, naturopath and acupuncturist, and her marriage is stronger than ever. *Ibid.*

Draus stated that she entered a program for first offenders and that once she completes it, she will not be convicted. *Id.* at ¶ 5. Further, she stated she completed a drug and alcohol screening, and it was deemed she did not need treatment. *Ibid.* She claimed that she meets with her probation officer twice a month for check-ins and was requesting early termination. *Ibid.*

Pursuant to *N.J.A.C. 6A:9B-4.6(e)*, the Board sent Draus a hearing notice by regular and certified mail, return receipt requested, on August 15, 2025. The notice explained that there appeared to be no dispute as to material facts in this matter. Thus, Draus 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 her certificates. Draus was also offered the opportunity to appear before the Board to provide testimony on the sanction issue.

On August 22, 2025, Draus submitted a written response. *See Written Submission.* In her response, Draus indicated that her PTI had been terminated as of August 21, 2025, and she attached a copy of the consent order, signed by Judge Smith ordering that Draus is successfully terminated, with the consent of the prosecutor, from the PTI program. *Ibid.* She also stated that the order

confirms that her charges were dismissed. *Ibid.* She did not request to appear before the Board.

The Board has the authority to “issue appropriate certificates to teach or to administer” and “may revoke the same under rules and regulations prescribed by the State board.” *N.J.S.A.* 18A:6-38; *see also N.J.A.C.* 6A:9B-3.2 and -4.4; *Morison v. Willingboro Bd. of Educ.*, 478 N.J. Super. 229 (App. Div. 2024), *cert. denied* 258 N.J. 143 (July 11, 2024). The Board may take action against a 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; *see also Morison*, 478 N.J. Super. at 246, 248 (explaining the Board is responsible for protecting schoolchildren from improper teacher conduct and may suspend or revoke an educator’s continued ability to serve as a teacher at any public school based on unbecoming conduct).

The threshold issue before the Board in this matter is whether Draus’ actions here constitute conduct unbecoming a certificate holder or other just cause. Draus did not dispute the allegations in the Order to Show Cause. Consequently, at its meeting of October 19, 2025, the Board considered only the allegations in the Order to Show Cause and the information received from OSP and CMCPO. Because the allegations were not disputed, the Board concluded that no material facts related to Draus’ offenses were in dispute. And because no material facts related to Draus’ conduct were in dispute, the Board determined that summary decision was appropriate in this matter. *N.J.A.C.* 6A:9B-4.6(h).

The Board finds that Draus engaged in conduct unbecoming of an educator. Unbecoming conduct is defined as “conduct ‘which adversely affects the morale or efficiency of the [department]’ or ‘has a tendency to destroy public respect for [government] employees and confidence in the operation of [public] services.’” *Bound Brook Bd. of Educ. v. Ciripompa*, 228 N.J. 4, 13 (2017) (quoting *In re Young*, 202 N.J. 50, 66 (2010) (citing *Karins v. Atl. City*, 152 N.J.

532, 554 (1998))). “[A] finding of unbecoming conduct ‘need not be predicated upon the violation of any particular rule or regulation, but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legal correct.’” *Id.* at 13-14 (quoting *Karins*, 152 N.J. at 555). “It focuses on the morale, efficiency, and public perception of an entity, and how those concerns are harmed by allowing teachers to behave inappropriately while holding public employment.” *Id.* at 14. “The touchstone of the determination lies in the certificate holder’s ‘fitness to discharge the duties and functions of one’s office or position.’” *Young*, 202 N.J. at 66 (quoting *In re Grossman*, 127 N.J. Super. 13, 29 (App. Div. 1974)).

Here, the Board finds that throwing a wine glass at a person’s head and causing injuries and lacerations to their head clearly demonstrates conduct that is unacceptable for a role model. Thus, the Board finds that Draus engaged in conduct unbecoming an educator and provides the basis for the Board’s finding.

Having found that Draus engaged in unbecoming conduct, the Board must now determine the appropriate penalty to be applied. In doing so, the Board considers the “nature and gravity of the offenses under all the circumstances involved, any evidence as to provocation, extenuation or aggravation,” and any “harm or injurious effect” on the maintenance of discipline and the proper administration of the school system. *In re Fulcomer*, 93 N.J. Super. 404, 422 (App. Div. 1967). “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. Fitness to teach depends on a broad range of factors, including the teacher’s impact and effect upon the students, because a “teacher works in a sensitive area in a schoolroom” and “shapes the

attitude of young minds toward the society in which they live.” *Grossman*, 127 N.J. at 30 (quoting *Adler v. Bd. of Educ. of City of New York*, 342 U.S. 485 (1952)). Importantly, unfitness to hold a position in a school system may be shown by one incident if sufficiently flagrant. *Fulcomer*, 93 N.J. Super. at 421; *Redcay v. State Bd. of Educ.*, 130 N.J.L. 369, 371 (1943), *aff’d*, 131 N.J.L. 326 (E & A 1944).

In this instance, the Board concludes that the appropriate response to Draus’ breach in conduct of an educator is a suspension of her certificates. Draus admitted that she did throw a wine glass at her husband and did cause her husband to sustain head injuries after being out drinking alcohol. However, based on the statements she provided in her answer and the evidence she submitted, the Board finds that a revocation of her certificates is not warranted.

Specifically, Draus demonstrated that she successfully completed her PTI resulting in the criminal charges being dismissed. Further, she demonstrated mitigation evidence of remorse for her actions, that she had called for emergency medical assistance for her husband at the time of the incident, and that she has taken specific steps to ensure her conduct is not repeated, including, but not limited to, making changes in her life to become a better version of herself, remaining sober, attending therapy, and seeing a naturopath and acupuncturist. For these reasons, the Board finds that a thirty-day suspension of Draus’ certificates is the appropriate response in this matter.

Accordingly, on October 30, 2025, the Board voted to suspend Kerry M. (Choplin) Draus’ standard School Counselor certificate. On this 12th day of December 2025, the Board voted to adopt its formal written decision, and it is therefore ORDERED that Draus’ certificate is SUSPENDED for a period of thirty (30) days, effective immediately. It is further ORDERED that Draus return her paper certificate, if issued, 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:
By 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*.