

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
ANDREI SIMON(A) : ORDER OF REVOCATION
_____ : DOCKET NO: 2425-313

At its meeting of August 8, 2025, the State Board of Examiners (Board) reviewed information from the Department of Education (DOE) – Office of Legal Affairs, Accountability & Compliance (OLAAC) and DOE - Office of Student Protection (OSP) regarding Andrei Simon(a), including documents received from the Cumberland County Prosecutor’s Office (CCPO) and Vineland Police Department (VPD). Simon(a) currently holds an Instructional Substitute credential, expiring March 31, 2027.

On or about March 20, 2023, Simon(a) was charged with Invasion of Privacy – Disclose Sex Act without Consent (3rd degree), *N.J.S.A. 2C:14-9C*; Cyber Harassment – Send/Post Obscene material with Intentional Harm/Fear (4th degree), *N.J.S.A. 2C:33-4.1A(2)*; and Stalking – Engage Conduct Reasonable Person Put in Fear (4th degree), *N.J.S.A. 2C:12-10B*. It was alleged that he posted sexually explicit photographs on the public VSCO platform of a female he had previously been in a personal relationship with and from whom he had received the photographs.

On September 21, 2023, Simon(a) received an Order of Postponement and was entered into the Pre-Trial Intervention probation program (PTI) for a period of twenty-four (24) months, and was ordered to undergo a psychological evaluation and abide by any and all recommendations, sign all appropriate releases so that the probation department can assure that he is in full compliance with any and all recommendations coming from the psychological evaluation, and pay fees and penalties.

Upon review of the above information, the Board voted at its meeting of September 19, 2025, to issue Simon(a) an Order to Show Cause as to why the certificates he holds should not be revoked. On September 23, 2025, the Board sent Simon(a) the Order to Show Cause by regular and certified mail, return receipt requested. The Order provided that Simon(a) had thirty (30) days to respond pursuant to *N.J.A.C. 6A:9B- 4.6(b)*. The certified mail copy was signed and returned, and the regular mail copy was returned and marked “No Mail Receptacle.” Simon(a) did not file a response.

On October 29, 2025, the Board sent Simon(a) a second notice by regular and certified mail, providing him with an additional fifteen (15) days to respond. The certified mail copy was returned and marked “No Mail Receptacle,” and the regular mail copy was not returned. Again, Simon(a) did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, the Board sent Simon(a) a hearing notice by regular and certified mail, return receipt requested, on December 10, 2025. The notice explained that because no answer was filed, there appeared to be no dispute as to material facts in this matter. Thus, Simon(a) 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 his certificates. Simon(a) was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was signed and returned, and the regular mail copy was not returned. Simon(a) did not file a response or 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(a); *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).

Because Simon(a) failed to respond to the Order to Show Cause, the allegations are deemed admitted. *N.J.A.C.* 6A:9B-4.6(c). Consequently, at its meeting of May 21, 2026, the Board considered only the allegations in the September 19, 2025 Order to Show Cause and the information received from the OSP, OLAAC, CCPO and VPD. Because the allegations were deemed admitted, the Board concluded that no material facts related to Simon(a)’s offenses were in dispute. And because no material facts related to Simon(a)’s 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 threshold issue before the Board in this matter is whether Simon(a)’s actions here constitute conduct unbecoming a certificate holder or other just cause. Based on the undisputed facts in this matter, the Board finds that Simon(a) 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 posting sexually explicit photographs on the public VSCO platform of a female he had previously been in a personal relationship with and from whom he had received the photographs violates the implicit standard of good behavior expected of public school teachers. Thus, the Board finds that Simon(a) engaged in conduct unbecoming an educator and provides the basis for the Board’s finding.

Having found that Simon(a) 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). Central to this evaluation is the understanding that “[t]eachers ... 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.” *IMO Tenure of Sammons*, 1972 *S.L.D.* 302, 321 (Comm’r. Decision, June 12, 1972). 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 Simon(a)’s breach in conduct of an educator is revocation of his certificates. Simon(a)’s conduct of posting sexually explicit photographs on a public website is not conduct of a role model for children. Further, posting sexually explicit photographs of a former individual with whom he had a relationship without the individual’s consent to the public posting is also not conduct of a role model for children. Rather, his conduct demonstrates he is unfit to discharge the duties and functions as a public-school teacher, and demonstrates strong evidence that revocation is appropriate. Allowing him to maintain certification to teach in a public school would have a negative impact on the proper administration of the school system. Thus, revocation of his certificates is the appropriate response in this matter.

Accordingly, on May 21, 2026, the Board voted to revoke Simon(a)’s certificates. On this 25th day of June 2026, the Board voted to adopt its formal written decision, and it is therefore ORDERED that Andrei Simon(a)’s Instructional Substitute credential is hereby REVOKED, effective immediately. It is further ORDERED that Simon(a) return his paper certificates, 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.



Kimberly A. Gatti, Acting Secretary
State Board of Examiners

Date of Mailing:

By Email, 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.