

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
RADALE FALANA : ORDER OF REVOCATION
_____ : DOCKET NO: 1415-185

At its meeting of March 12, 2015, the State Board of Examiners (Board) reviewed information it had received from the Office of Certification and Induction (OCI) regarding Radale Falana. OCI reported that, when applying for a Supervisor certificate, Falana had submitted several employment verification letters that had questionable authenticity. One letter was purportedly signed by Erica Murphy, Director of the Brownsville Ascend Lower Charter School, where Falana worked from August 2013 until October 2013. Murphy indicated that she did not prepare the letter, did not authorize it and did not sign it. She also indicated that the employment start date listed in the letter was incorrect. Murphy also indicated that Falana never requested an employment verification letter from her.

Two other employment verification letters Falana submitted were purportedly signed by Lisa Powell, Chief Academic Officer of the Newark Legacy Charter School (NLCS). Powell indicated that the two letters, dated August 19, 2014 and October 21, 2014 were not provided by her nor signed by her. Powell also indicated that the information contained in the letters was not accurate as Falana did not work at NLCS during the period “6/23/14 to 8/18/14” as indicated in the letters. Powell later verified that Falana did work at NLCS during the period of 7/7/14-7/17/14 only.

Falana currently holds a Teacher of Elementary School In Grades K-5 Certificate of Eligibility, issued in August 2011 and a Teacher of Elementary School in Grades K-5 certificate, issued in October 2012. Upon review of the above information, at its meeting of April 17, 2015, the Board voted to issue Falana an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Falana the Order to Show Cause by regular and certified mail on April 22, 2015. The Order provided that Falana had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Falana did not respond. Thereafter, on May 28,

2015, the Board sent Falana another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was not returned and the regular mail copy was returned without an envelope. Falana did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on June 18, 2015, the Board sent Falana a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Falana 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 determined to take action against his certificates. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Falana's offenses warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Falana was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Falana did not respond.

The threshold issue before the Board in this matter, therefore, is whether Falana's conduct as alleged in the Order to Show Cause constitutes conduct unbecoming a certificate holder. Since Falana never responded to the Order to Show Cause, at its meeting of September 17, 2015, the Board had only the allegations contained in the Order to Show Cause to consider. The Board determined that no material facts related to Falana's actions were in dispute since he did not deny that he had engaged in the alleged conduct. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding. *N.J.A.C. 6A:9B-4.7(c)*.

The Board must now determine whether Falana's conduct, as set forth in the Order to Show Cause, represents just cause to act against his certificates pursuant to *N.J.A.C. 6A:9B-4.5*. 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-4.5*. “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). In this matter, Falana submitted several employment verification letters that contained false information and were neither prepared nor authorized by their purported signatories. His conduct clearly breached the role model decorum expected of teachers and calls into question Falana’s capacity for truth. His actions leave no doubt that he is unfit to be a teacher and the Board therefore concludes that the only appropriate response to Falana’s breach is the revocation of his certificates.

Accordingly, on September 17, 2015, the Board voted to suspend Radale Falana’s Teacher of Elementary School in Grades K-5 Certificate of Eligibility and his Teacher of Elementary School in Grades K-5 certificate. On this 30th day of October 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that Falana’s certificates are hereby revoked effective immediately. It is further ORDERED that Falana 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.

Robert R. Higgins, Secretary
State Board of Examiners

RRH/MZ/th

Date of mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A. 18A:6-38.4*.