

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
KALED HARDAN : ORDER OF REVOCATION
_____ : DOCKET NO: 1415-165

At its meeting of January 23, 2015, the State Board of Examiners (Board) reviewed information the Passaic County Prosecutor's Office had forwarded regarding Kaled Hardan. After being charged with Aggravated Assault, Hardan was accepted into a Pretrial Intervention program (PTI) for 12 months. The Criminal Accusation accused Hardan of causing significant bodily injury to the victim, a store employee, by punching him numerous times in the face. Hardan currently holds a Substitute Credential, which expires in July 2016. Upon review of the above information, at its March 12, 2015 meeting, the Board voted to issue Hardan an Order to Show Cause.

The Board sent Hardan the Order to Show Cause by regular and certified mail on March 17, 2015. The Order provided that Hardan had 30 days to respond. Both the regular mail and certified mail copies were returned. After securing a new address for Hardan, the Board re-sent the Order to Show Cause by regular and certified mail on March 31, 2015. The certified mail receipt was signed and returned and the regular mail copy was not returned. Hardan did not file a response. Thereafter, on May 5, 2015, the Board sent Hardan another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular copy was not returned. Hardan did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.7(e)*, on May 22, 2015, the Board sent Hardan a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Hardan 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 credential. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Hardan's offenses warranted action against his credential. Thereupon, the Board would also determine the appropriate sanction, if any. Hardan 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, Hardan did not respond.

The threshold issue before the Board in this matter is whether Hardan's conduct constitutes conduct unbecoming a certificate holder. Since Hardan failed to respond to the Order to Show Cause or the hearing notice, at its meeting of July 30, 2015, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Hardan's offense were in dispute since he never denied that he had been admitted into PTI after being charged with Aggravated Assault or had engaged in the conduct alleged. 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.

The Board must now determine whether Hardan's conduct, as set forth in the Order to Show Cause, provides just cause to act against his credential 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, Hardan’s conduct in beating another individual, causing significant bodily injury, is egregious and demonstrates that he is unfit to be a teacher. Hardan’s behavior falls so far short of a role model that the only appropriate sanction in this case is the revocation of his credential.

Accordingly, on July 30, 2015, the Board voted to revoke Kaled Hardan’s Substitute Credential. On this 17th day of September 2015 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Hardan’s credential be effective immediately. It is further ORDERED that Hardan return his credential to the Secretary of the State Board of Examiners, Office of Licensure, 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

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.