

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
TALITA ROBINSON : ORDER OF REVOCATION
_____ : DOCKET NO: 0405-275

At its meeting of June 9, 2005, the State Board of Examiners reviewed information it had received indicating that Talita Robinson had pled guilty to charges of theft of government funds. On January 18, 2005, Robinson was sentenced to 39 months' probation and ordered to pay restitution in the amount of \$31,764.28. Robinson currently holds a Teacher of the Handicapped certificate, issued in September 2003. Upon review of the above information, at its June 9, 2005, meeting, the State Board of Examiners voted to issue Robinson an Order to Show Cause.

The Board sent Robinson the Order to Show Cause by regular and certified mail on July 27, 2005. The Order provided that Robinson's Answer was due within 30 days. Robinson filed her response on August 2, 2005. In that Answer, Robinson stated that she was receiving no child support from her son's father and therefore it was hard for her to take care of herself and her son. As a result, she continued to receive Section 8 Housing while she was working. (Answer, ¶ 1). She added that as part of her probation she had to send her probation officer proof that she was working and paying her restitution. (Answer, ¶ 1). Robinson claimed that she was not a violent person or one who hurts children, but did what she did because she was desperate to survive and take care of her child. (Answer, ¶ 2). Finally, she added that after living in a women's shelter she had finished graduate school with a 3.4 GPA and had purchased her first home. (Answer, ¶ 2).

Thereafter, pursuant to *N.J.A.C.* 6A:9-17.7(e), on September 15, 2005, the Board of Examiners sent Robinson a hearing notice by regular and certified mail. The notice explained that since it appeared no material facts were in dispute, Robinson 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. It also explained that upon review of the charges against her and the legal arguments tendered in her defense, the State Board of Examiners would determine if Robinson's offense warranted action against her certificate. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Neither the certified nor the regular mail copy was returned.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Robinson's guilty plea to theft of government funds constitutes conduct unbecoming a certificate holder. At its meeting of January 19, 2006, the State Board of Examiners reviewed the charges and papers Robinson filed in response to the Order to Show Cause. After review of Robinson's submissions, the Board of Examiners determined that no material facts related to her offense were in dispute since she admitted that she had pled guilty to the offense charged and had been sentenced accordingly. Thus, the Board of Examiners determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*.

The State Board of Examiners must now determine whether Robinson's offense as set forth in the Order to Show Cause, provides just cause to act against her certificate pursuant to *N.J.A.C. 6A:9-17.5*. It finds that it does.

The State Board of Examiners 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:9-17.5*. "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. Furthermore, 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 (Sup. Ct. 1943), *aff'd*, 131 *N.J.L.* 326 (E & A 1944). Robinson's acts of defrauding the government, by receiving funds to which she was not entitled, are inexcusable for any individual, teacher or not. While Robinson may have been an exceptional teacher in the classroom, she has not demonstrated like behavior outside that arena.

Accordingly, pursuant to the Board of Examiners' vote, it is therefore ORDERED that Talita Robinson's Teacher of the Handicapped certificate be revoked effective this 2nd day of March 2006. It is further ORDERED that Robinson return her certificate to the Secretary of the State Board of Examiners, Office of Licensure, PO Box 500, Trenton, NJ 08625-0500 within 20 days of the mailing date of this decision.

Robert R. Higgins, Acting Secretary
State Board of Examiners

Date of Mailing: MARCH 8, 2006

Appeals may be made to the State Board of Education pursuant to the provisions of *N.J.S.A.* 18A:6-28.