

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS
ROCHELLE R. CARAWAY : ORDER OF REVOCATION
_____ : DOCKET NO: 1617-199

At its meeting of March 3, 2017, the State Board of Examiners (Board) reviewed information received from the Superior Court of New Jersey, Essex County Criminal Division and the Criminal History Review Unit regarding Rochelle R. Caraway. On June 5, 2015, Caraway was arrested and charged with Possession of a Stun Gun, Endangering the Welfare of Children and Possession of a Weapon for an Unlawful Purpose after she pointed a stun gun at a juvenile at Barringer High School in Newark. On January 4, 2016, Caraway received an Order of Postponement and was accepted into a Pretrial Intervention program (PTI) for 36 months. She was also fined and ordered to perform community service.

Caraway currently holds a Substitute Credential, which expires in July 2018. Upon review of the above information, the Board voted at its meeting of April 6, 2017 to issue Caraway an Order to Show Cause as to why her credential should not be revoked.

After several attempts at securing a correct current address for Caraway, the Board sent her the Order to Show Cause by regular and certified mail on September 28, 2017. The Order provided that Caraway must file an Answer within 30 days. Caraway filed an Answer on October 24, 2017.

In her Answer, Caraway stated that she worked in a hostile environment with “children who were minors in age but very adult in their mannerism and provocative language and remarks.” (Answer, ¶ 3). She added that the student in question was a gang member who had threatened to harm her and made moves to strike her. (Answer, ¶ 3). Caraway added that she had had to call security on this student a few times. (Answer, ¶ 3). She noted that she always gave students respect and asked for respect in return. (Answer, ¶ 3). Caraway stated that she loved kids and had worked around children her whole life. (Answer, ¶ 3). She also recounted her various volunteer activities. (Answer, ¶ 4, 6). Caraway also noted

that because she had been attacked before in her life she was “hypersensitive to someone invading my personal space and being antagonistic towards me.” (Answer, ¶ 5). She added that she did not condone her behavior and noted that it was not usual for her as she had never been in any trouble in her entire life. (Answer, ¶ 6). She added that she was not barred from working with children or restricted in her activities and she currently worked with youth. (Answer, ¶ 6). Finally, Caraway stated that she had not allowed the incident “to mar me or stop me for being a champion for all kids.” (Answer, ¶ 6). She therefore asked the Board not to revoke her credential. (Answer, ¶ 7).

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on February 2, 2018, the Board sent Caraway a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Caraway 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 credential. Caraway 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. Caraway did not file a response.

The threshold issue before the Board in this matter is whether Caraway’s conduct constitutes conduct unbecoming a certificate holder. At its meeting of April 13, 2018, the Board considered the allegations in the Order to Show Cause as well as Caraway’s Answer. The Board determined that no material facts related to Caraway’s offense were in dispute since she did not deny that she had engaged in the conduct alleged in the Order to Show Cause. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9B-4.6(h)*.

The Board must now determine whether Caraway’s conduct, as set forth in the Order to Show Cause, represents just cause to act against her credential pursuant to *N.J.A.C. 6A:9B-4.4*. 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-4.4. “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, the Commissioner has long held that teachers serve as role models for their students. 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 (1943), *aff’d*, 131 *N.J.L.* 326 (E & A 1944). In this instance, Caraway’s act of pointing a stun gun at a juvenile in school is behavior that falls far short of a role model regardless of what prompted such conduct. The Board therefore concludes that the appropriate response to Caraway’s breach is the revocation of her credential.

Accordingly, on April 13, 2018, the Board voted to revoke Rochelle R. Caraway’s Substitute Credential, effective immediately. On this 24th day of May 2018 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Caraway’s credential be effective immediately. It is further ORDERED that Caraway return her credential 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:
via 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.