

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
TYRONE A. BRYAN : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-209

At its meeting of November 1, 2018, the State Board of Examiners (Board) reviewed information the Essex County Prosecutor's Office and the Criminal History Review Unit (CHRU) had forwarded regarding Tyrone A. Bryan. On March 9, 2012, Bryan was indicted on charges of Theft by Unlawful Taking (2nd degree) and Forgery (3rd degree). It was alleged that Bryan kept cash received from church offerings by changing deposit slips, wrote unauthorized checks and used the church's debit card without authorization. On June 25, 2018, Bryan received an Order of Postponement and was entered into a Pre-Trial Intervention program for a period of 36 months. He was also ordered to perform 150 hours of community service, pay \$80,000 in restitution and have no contact with church officials or employees.

Bryan currently holds a Teacher of Elementary School in Grades K-8 Certificate of Eligibility with Advanced Standing, a Principal Certificate of Eligibility and Teacher of Elementary School in Grades K-8 and Supervisor certificates. Upon review of the above information, at its December 17, 2018 meeting, the Board voted to issue Bryan an Order to Show Cause as to why his certificates should not be revoked.

The Board sent Bryan the Order to Show Cause by regular and certified mail on December 20, 2018. The Order provided that Bryan had 30 days to respond. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Bryan did not respond. Thereafter, on January 29, 2019, the Board sent another notice providing Bryan an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Once again, Bryan did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on March 7, 2019, the Board sent Bryan a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were deemed to be admitted as a result of his failure to file an Answer. Thus, Bryan 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. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Bryan's offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Bryan was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as "Unclaimed" and the regular mail copy was returned. Once again, Bryan did not file a response.

The threshold issue before the Board in this matter is whether Bryan's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Bryan failed to respond to the Order to Show Cause, the allegations therein are deemed admitted. *N.J.A.C. 6A:9B-4.6(c)*. Consequently, at its meeting of June 28, 2019, the Board considered only the allegations in the Order to Show Cause and the information received from the Prosecutor's Office and the CHRU. The Board concluded that no material facts related to Bryan's offense were in dispute since he never denied 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-4.6(h)*. After reviewing the allegations, the Board found that Bryan had engaged in unbecoming conduct.

The Board must now determine whether Bryan's conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificates 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, 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). Bryan's actions of keeping cash received from church offerings by changing deposit slips, writing unauthorized checks and using the

church's debit card without authorization clearly demonstrate conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to his breach is the revocation of his certificates.

Accordingly, on June 28, 2019, the Board voted to revoke Tyrone A. Bryan's Teacher of Elementary School in Grades K-8 Certificate of Eligibility with Advanced Standing, Principal Certificate of Eligibility and Teacher of Elementary School in Grades K-8 and Supervisor certificates. On this 1st day of August 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that Bryan's certificates are hereby revoked, effective immediately. It is further ORDERED that Bryan 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.

Rani Singh, Acting Secretary
State Board of Examiners

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.