

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
STEPHANIE P. ESPANA : ORDER OF SUSPENSION
_____ : DOCKET NO: 1819-117

At its meeting of November 1, 2018, the State Board of Examiners (Board) reviewed information the New Jersey Superior Court-Hudson County Vicinage and the Criminal History Review Unit (CHRU) had forwarded regarding Stephanie P. Espana. On April 1, 2018, Espana was arrested and charged with Burglary and Stalking for breaking into the home of the Mayor of Jersey City. On June 19, 2018, Espana received an Order of Postponement and was accepted into a Pre-Trial Intervention program for a period of 12 months. She was also ordered to have no contact with the victim and his wife and to continue mental health treatment, as directed.

Espana currently holds a Teacher of Spanish Certificate of Eligibility. Upon review of the above information, at its December 17, 2018 meeting, the Board voted to issue Espana an Order to Show Cause as to why her certificate should not be revoked.

The Board sent Espana the Order to Show Cause by regular and certified mail on December 20, 2018. The Order provided that Espana had 30 days to respond. The certified mail receipt was signed and returned and the regular mail copy was not returned. Espana did not file a response.

Thereafter, on January 29, 2019, the Board sent Espana another notice by certified and regular mail providing her an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned and the regular mail copy was not returned. Espana did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on February 15, 2019, the Board sent Espana 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 her failure to file an Answer. Thus, Espana 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 certificate. It

also explained that, upon review of the charges against her and the legal arguments tendered in her defense, the Board would determine if her offense warranted action against her certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Espana 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, Espana did not file a response.

The threshold issue before the Board in this matter is whether Espana's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Espana 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 May 17, 2019, the Board considered only the allegations in the Order to Show Cause and the information received from the Superior Court and the CHRU. The Board concluded that no material facts related to Espana's offense were in dispute since she never denied that she 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 Espana had engaged in unbecoming conduct.

The Board must now determine whether Espana's conduct, as set forth in the Order to Show Cause, provides just cause to act against her certificate 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). Espana's actions in breaking into the home of the Mayor of Jersey City clearly demonstrate conduct that is unacceptable for a role model. The Board therefore concludes that the appropriate response to her breach is a one-year suspension of her certificate.

Accordingly, on May 17, 2019, the Board voted to suspend Stephanie P. Espana's Teacher of Spanish certificate for a period of one year. On this 28th day of June 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that Espana's certificate is hereby suspended for one year, effective immediately. It is further ORDERED that Espana return her certificate 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.