

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
MARK STEELE : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 0506-221

At its meeting of March 30, 2006, the State Board of Examiners reviewed information received from the Camden County Prosecutor indicating that on September 7, 2005, Mark Steele had pled guilty to charges of abuse, abandonment, cruelty and neglect. On October 21, 2005, Steele was sentenced to five years' probation and fined. Steele was prohibited from teaching or coaching anyone under 18 and having contact with his victim. The court also ordered him to perform community service, to maintain verifiable employment and to provide a DNA sample. The court also ordered Steele to forfeit his public position pursuant to *N.J.S.A. 2C:51-2(a)2* and disqualified him from any future public position pursuant to *N.J.S.A. 2C:51-2(d)*. Steele currently holds a Teacher of Social Studies certificate, issued in November 1973. Upon review of the above information, at its March 30, 2006 meeting, the State Board of Examiners voted to issue Steele an Order to Show Cause. On May 4, 2006, the Board formally adopted its Order to Show Cause.

The Board sent Steele the Order to Show Cause by regular and certified mail on May 19, 2006. The Order provided that Steele's Answer was due within 30 days. Steele submitted an Answer on August 7, 2006. In that response, he admitted that he pled guilty to the criminal charges. (Answer, ¶ 4). He also admitted that he was barred from holding any public positions. (Answer, ¶ 5). Steele also claimed responsibility for his actions and accepted "all conditions pursuant to my plea including the revoking of my teaching license." (Answer, ¶ 7).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on August 21, 2006, the Board sent Steele a hearing notice by regular and certified mail. The notice explained that since it appeared no

material facts were in dispute, Steele 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 him and the legal arguments tendered in his defense, the State Board of Examiners would determine if his disqualifying offense warranted action against his certificate. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Steele did not respond to the hearing notice.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Steele's conviction constitutes conduct unbecoming a certificate holder. At its meeting of November 2, 2006, the State Board of Examiners reviewed the charges and papers Steele filed in response to the Order to Show Cause. After review of the response, the Board of Examiners determined that no material facts related to Steele's offense were in dispute since he never denied that he had pled guilty to the offense 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 issue before the State Board of Examiners in this matter, therefore, is whether Steele's offense and the forfeiture of his certificate, as set forth in the Order to Show Cause, represent just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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. Steele’s acts of abuse, abandonment, cruelty and neglect are inexcusable for any individual, teacher or not.

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). In this instance, Steele’s conduct is egregious because it was harmful to a child.

Accordingly, on November 2, 2006, the Board of Examiners voted to revoke Steele’s certificates. On this 7th day of December 2006 the Board formally adopted its written decision to revoke and it is therefore ORDERED that Mark Steele’s Teacher of Social Studies certificate be revoked effective this day. It is further ORDERED that Steele return his 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.

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Robert R. Higgins, Acting Secretary  
State Board of Examiners

Date of Mailing: DECEMBER 13<sup>th</sup>, 2006

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