

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
MICHAEL STEELE : ORDER OF REVOCATION
_____ : DOCKET NO: 1011-176

At its meeting of May 12, 2011, the State Board of Examiners (Board) reviewed information received from the Hunterdon County Prosecutor's Office indicating that on September 30, 2009, Michael Steele pled guilty to two counts of Official Misconduct. On March 8, 2010, Steele was sentenced to seven years' imprisonment and ordered to relinquish his public employment pursuant to *N.J.S.A. 2C:-51-2A*. The court also barred Steele from public employment in the future. Steele currently holds a School Business Administrator certificate, issued in April 1989. Upon review of the above information, at its July 28, 2011 meeting, the Board voted to issue Steele an Order to Show Cause.

The Board sent Steele the Order to Show Cause by regular and certified mail on August 3, 2011. Steele responded on August 24, 2011. In that Answer, Steele admitted that "[t]he facts presented in the Order To Show Cause are accurate, and I do not refute them." (Answer, p. 1). Steele added that he was extremely remorseful and regretted "the improper and illegal actions which led to my deviation from what was otherwise considered a stellar career in public service spanning almost thirty years." (Answer, p. 1). Finally, Steele requested that the Board suspend, rather than revoke his certificate, although he indicated that he would "respect the ultimate decision of the Board in this matter." (Answer, p. 1).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on August 31, 2011, the Board sent Steele a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, 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 as well as arguments with regard to the appropriate sanction in the event that the Board determined to take action against his certificate. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Steele's offenses warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Steele 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. Steele did not respond.

The threshold issue before the Board in this matter is whether Steele's conviction and permanent bar from holding public employment in the State of New Jersey constitute conduct unbecoming a certificate holder. At its meeting of December 16, 2011, the Board considered the allegations in the Order to Show Cause and Steele's Answer. The Board determined that no material facts related to Steele's offense were in dispute since he admitted that the allegations in the Order to Show Cause regarding his conviction, sentence and permanent bar from public employment were accurate. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Steele's conviction and subsequent bar from public employment, as set forth in the Order to Show Cause, provide just cause to act against his certificate pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

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: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. Moreover, the Commissioner has long held that teachers serve as role models for their students. Steele’s acts of Official Misconduct demonstrate a dishonesty that falls far short of the role model status expected of teachers. Clearly, Steele cannot lay claim to that status.

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, Steele’s conviction for Official Misconduct resulted in a lengthy prison term and a permanent disqualification from public employment. Steele’s offense demonstrates egregious behavior that warrants revocation.

Accordingly, on January 19, 2012, the Board voted to revoke Steele’s School Business Administrator certificate. On this 1st day of March 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Michael Steele’s certificate be effective immediately. It is further ORDERED that Steele return his certificate to the Secretary of the State Board of Examiners, Office of Licensure, 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

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A.* 18A:6-38.4.

RRH:MZ:th