

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS  
WILLIAM MAYES : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1011-185

At its meeting of May 12, 2011, the State Board of Examiners (Board) reviewed information received from the Office of Criminal History Review (OCHR) indicating that on August 4, 2005, respondent William Mayes pled guilty in federal court to Conspiracy to Deal in the Business of Firearms. Mayes was sentenced to 40 months in prison and fined \$100,000. As a result of the conviction, Mayes was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Mayes currently holds a Teacher of Social Studies certificate, issued in June 1994. Mayes did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of June 16, 2011 to issue Mayes an Order to Show Cause why his certificate should not be revoked.

The Board sent Mayes the Order to Show Cause by regular and certified mail on June 20, 2011. The Order provided that Mayes must file an Answer within 30 days. Mayes responded on July 17, 2011. In that Answer, Mayes admitted that his actions were illegal but added that they did not occur on school grounds or affect his job in any way. (Answer, p.1). He stated that he had no desire to teach in New Jersey and planned to move out of state. (Answer, p. 1). He added that he had served his time and wanted to take his certificate with him. (Answer, p. 1). Finally, Mayes asked that the Board consider his service to the state before it made its decision. (Answer, p. 1).

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on September 20, 2011 the Board sent Mayes a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Mayes 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 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 his disqualifying offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Mayes 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. Mayes did not respond.

The threshold issue before the Board in this matter is whether Mayes' conviction and subsequent disqualification 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 Mayes' Answer. The Board determined that no material facts related to Mayes' offense were in dispute since he admitted that he had been convicted of the offense charged. 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 Mayes' conviction and resulting disqualification, 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.

In enacting the Criminal History Review statute, *N.J.S.A. 18A:6-7.1 et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger. Individuals convicted of a crime such as Conspiracy to Deal in the Business of Firearms fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing belief that teachers must serve as role models for their students. "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. Clearly, Mayes' conviction indicates his actions here are not those of a role model.

The strong policy statement on the part of the Legislature set forth in *N.J.S.A. 18A:6-7.1(b)* also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is

so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature considers Mayes' offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of Mayes' certificate.

Accordingly, on December 16, 2011, the Board voted to revoke William Mayes' Teacher of Social Studies certificate. On this 19th day of January 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of William Mayes' certificate be effective immediately. It is further ORDERED that Mayes 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.

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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.