

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
BRYAN S. SIEBER : ORDER OF REVOCATION
_____ : DOCKET NO: 1819-214

At its meeting of June 28, 2019, the State Board of Examiners (Board) reviewed information provided by the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Commonwealth of Pennsylvania Professional Standards and Practices Commission (the Commission) regarding Sieber. On June 8, 2018, Pennsylvania suspended Sieber’s teaching certificate after he was charged with Institutional Sexual Assault, Endangering the Welfare of Children, Corruption of Minors, Obscene and Other Sexual Materials and Performances (Dissemination of Explicit Sexual Materials to a Minor) and Unlawful Contact with a Minor. Sieber allegedly engaged in an inappropriate sexual relationship with a 17-year-old student inside the school facility and at his home. On November 20, 2018, Sieber pled guilty to Institutional Sexual Assault and Corruption of Minors. He was sentenced to probation for five years.

In New Jersey, Sieber currently holds a Teacher of Elementary Education Grades K-8 certificate. Upon review of the above information, at its August 1, 2019 meeting, the Board voted to issue Sieber an Order to Show Cause as to why his certificate should not be revoked.

After several attempts at securing a proper address, on September 9, 2021 the Board sent Sieber the Order to Show Cause by regular and certified mail. That mail was unclaimed and the regular mail was not returned. The Order provided that Sieber had 30 days to respond. Sieber did not respond. On February 15, 2022, after obtaining what it believed to be a good address for Sieber, the Board sent Sieber another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was returned, and the regular mail copy was not returned. Sieber did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on March 25, 2022, the Board sent Sieber 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, Sieber 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 Sieber's offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Sieber 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, Sieber did not file a response.

The threshold issue before the Board in this matter is whether Sieber's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Sieber 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 30, 2022, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC and Pennsylvania. The Board concluded that no material facts related to Sieber's offense were in dispute since he never denied that he had engaged in the conduct alleged. 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 Sieber had engaged in unbecoming conduct.

The Board must now determine whether Sieber's conduct, as set forth in the Order to Show Cause, provides just cause to act against his 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). Sieber's actions in pleading guilty to institutional sexual assault and corruption of minors clearly demonstrates conduct that is unacceptable for a role model. That action led the Board to conclude that the appropriate response to his breach is the revocation of his New Jersey certificate.

Accordingly, on June 30, 2022, the Board voted to revoke Bryan S. Sieber's Teacher of Elementary Grades K-8 certificate. On this 5th day of August 2022, the Board voted to adopt its formal written decision and it is therefore ORDERED that Sieber's certificate(s) are hereby revoked, effective immediately. It is further ORDERED that Sieber return his 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, 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.