

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
KEITH T. SATTELY : ORDER OF SUSPENSION
_____ : DOCKET NO: 2021-128

At its meeting of January 22, 2021, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the California Commission on Teacher Credentialing (California) provided information to the State Board of Examiners (Board) regarding Sattely.

On September 13, 2020, California revoked Sattely's educator certificates after he allegedly fell asleep while he was supposed to be teaching and had slurred speech. Sattely also had charges related to driving under the influence and possession of controlled dangerous substance.

On August 18, 2018, Sattely was involved in a motor vehicle accident wherein he rear-ended another car. An officer responding to the scene noticed that Sattely appeared restless and spoke quickly while mumbling and he was unable to stand still. During the vehicle inventory, an officer located a black backpack which contained 7 syringes, 2 baggies with a crystal substance, a glass pipe with brown residue, a brown cylinder tube, and a clear glass cylinder. As a result, on October 10, 2019, Sattely was convicted for "wet reckless" after he was originally charged with driving under the influence of drugs, possession of CDS and drug paraphernalia.

On November 8, 2017, it was reported that Sattely was not teaching his choir class and the class had started several minutes prior. The Assistant Principal reported to the classroom and could see Sattely through a glass interior window asleep in his office adjacent to the classroom. Students could see Sattely asleep. When the Assistant Principal knocked, Sattely did not wake up, and the door had to be opened with a master key. Once awake, Sattely indicated he took a Xanax. His speech was slurred, and his eyes were glazed over.

On January 20, 2018 Sattely arrived for a student choir performance he was slurring his words to the degree that he could not be understood. Witnesses said Sattely could not keep his eyes open and

eventually fell asleep. On January 21, 2018, during the second choir performance that weekend Sattely could not keep his eyes open while standing and had slurred words so badly he could not be understood. He again fell asleep during the performance.

In New Jersey, Sattely currently holds a Teacher of Music Certificate of Eligibility with Advanced Standing and Teacher of Music Certificate. Upon review of the above information, at its February 26, 2021 meeting, the Board voted to issue Sattely an Order to Show Cause as to why his certificates should not be suspended.

The Board sent Sattely the Order to Show Cause by regular and certified mail on March 3, 2021. The Order provided that Sattely had 30 days to respond. The certified mail card was signed and returned, and the regular mail was not returned. Sattely did not respond. Thereafter, on April 13, 2021 the Board sent another notice providing Sattely an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as “Unclaimed” per the United States Postal Service (USPS) online tracking system, and the regular mail copy was not returned. Once again, Sattely did not respond.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on October 5, 2021¹, the Board sent Sattely a hearing notice by regular and certified mail. The notice explained that the allegations in the Order to Show Cause were not in dispute. Thus, Sattely 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 certificates. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if Sattely’s conduct warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Sattely was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was marked as “Delivered, Front Desk/Reception/Mail

¹ The Board notes that it attempted service of the second notice at two (2) other known addresses. Both addresses were determined to be incorrect. Accordingly, pursuant to applicable service rules, the Board relies upon proper service of the unclaimed mail return and the signed return card from the original issuance of the order to show cause.

Room” pursuant to the USPS online tracking system and the regular mail copy was not returned. Sattely did not file a response.

The threshold issue before the Board in this matter is whether Sattely’s conduct constitutes conduct unbecoming a certificate holder or other just cause. At its meeting of December 16, 2021, the Board considered the allegations in the Order to Show Cause, the information received from NASDTEC and California. The Board concluded that no material facts related to Sattely’s offenses were in dispute since he never denied that he 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 Sattely engaged in unbecoming conduct.

The Board must now determine whether Sattely’s conduct, as set forth in the Order to Show Cause, provides just cause to act against his certificates 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). Sattely’s actions in falling asleep when he was supposed to be teaching, having slurred speech, and being convicted of “wet reckless” clearly indicate a serious lapse in judgment. The Board therefore concludes that the appropriate response to his breach is the suspension of his certificates.

Accordingly, on December 16, 2021, the Board voted to suspend Keith T. Sattely’s Teacher of Music Certificate of Eligibility with Advanced Standing and Teacher of Music Certificate for a period of four (4) years. On this 21st day of January 2022, the Board voted to adopt its formal written decision and it is therefore ORDERED that the four (4) year suspension of Sattely’s certificates be effective immediately.

It is further ORDERED that Sattely return his certificates 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.