

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS
STEVEN RIBNICKY : ORDER OF REVOCATION
_____ : DOCKET NO: 0304-126

At its meeting of September 25, 2003, the State Board of Examiners reviewed information received from the Division of Criminal Justice indicating that on June 19, 2003, Steven Ribnicky had pled guilty to charges of endangering the welfare of a child. On August 8, 2003, Ribnicky was sentenced to three years' confinement in State prison. He was also subject to the registration and notification provisions of Megan's Law and was sentenced to community supervision for life. The court also ordered Ribnicky to forfeit his public position. Ribnicky is currently the holder of a Teacher of Elementary School Certificate of Eligibility and a Teacher of Elementary School certificate, issued in 1999 and 2000, respectively. Upon review of the above information, at its September 2003 meeting, the State Board of Examiners voted to issue Ribnicky an Order to Show Cause.

The Board sent Ribnicky the Order to Show Cause by regular and certified mail on February 9, 2004. The Order provided that Ribnicky must file an Answer within 20 days. Although Ribnicky signed for the certified letter and the regular mail was not returned, he did not respond to the Order. On March 12, 2004 the Board sent Ribnicky a second notice by regular and certified mail. Once again, he signed for the certified letter and the regular mail was not returned. Ribnicky did not file a response to the second notice.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Ribnicky's conviction and subsequent forfeiture of his public position give the Board just cause to act against his certificates pursuant to N.J.A.C. 6A:9-17.5. Since Ribnicky did not respond to the Order to Show Cause, the State Board of Examiners had no responsive pleading to consider in the hearing process. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding. N.J.A.C. 6A:9-17.7(c). Since Ribnicky's conviction and forfeiture are admitted, the Board of Examiners must now decide

whether they constitute a sufficient basis to act against his certificates pursuant to N.J.A.C. 6:A:9-17.5. We find 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. Ribnicky’s acts of endangering the welfare of a child are inexcusable, for any individual, teacher or not. His behavior negates any claim he can have to being a role model for children.

Furthermore, unfitness to hold a position in a school system may be shown by one incident, if sufficiently flagrant. Redcay v. State Board of Education, 130 N.J.L. 369, 371 (S. Ct. 1943), *aff’d*. 131 N.J.L. 326 (E & A 1944). In this instance, Ribnicky’s crime, serves as a sufficient predicate to bar him permanently from all of New Jersey’s classrooms, not just his district’s.

Accordingly, it is therefore ORDERED that Steven Ribnicky’s Teacher of Elementary School Certificate of Eligibility and Teacher of Elementary School certificate be revoked on this 6th day of May 2004. It is further ORDERED that Ribnicky return his certificates to the Secretary of the State Board of Examiners, Office of Licensing, PO Box 500, Trenton, NJ 08625-0500 within 20 days of receipt of this decision.

Joan E. Brady, Secretary
State Board of Examiners

Date of Mailing: JULY 1, 2004

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