

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
STEVEN SEIGEL : ORDER OF REVOCATON
_____ : DOCKET NO. 421 - 12/96 - 105

At its meeting of December 12, 1996 the State Board of Examiners reviewed information received from the Office of Criminal History Review concerning Steven Seigel's February, 1988 conviction on charges of sexual abuse in New York. He was sentenced to three (3) years' probation. Additionally, pursuant to N.J.S.A. 18A:6-7.1 Mr. Seigel was disqualified from service in the public schools of New Jersey as a result of his criminal history. Mr. Seigel holds a New Jersey Teacher of the Handicapped license.

At that meeting, the State Board of Examiners voted to issue an Order to Show Cause to Mr. Seigel. The Order to Show Cause was mailed to Mr. Seigel by regular and certified mail on January 21, 1997. On February 2, 1997, an Answer to the Order to Show Cause was received from Mr. Seigel.

In the interim, the State Board of Education decided two cases which impacted on the hearing process conducted by the State Board of Examiners. The first case is captioned, In the Matter of the Certificates of Sheridan. The other is captioned, In the Matter of the Certificates of Vitola. Within these two cases, the State Board of Education determined that the State Board of Examiners was required to amend its regulations in order to hear directly legal matters in which materials fact are not in dispute. During the pendency of the revisions to the State Board of Examiner' regulations regarding its hearing process, all such hearings were held in abeyance. Said regulatory amendments were finally codified in May of 1997.

In June, 1997, Mr. Seigel requested a status check in the matter of his teaching license. Thereafter, pursuant to the newly recodified hearing provisions of N.J.A.C. 6:11-3.6(a)1, on July 9, 1997 a hearing notice was mailed by regular and certified mail to Mr. Seigel. Said notice explained that, it appearing that no material facts were in dispute, Mr. Seigel was provided an opportunity to offer legal argument on the issue of whether his conviction constituted conduct unbecoming a certificate holder. On July 25, 1997, a response to the hearing notice was received from Mr. Seigel.

Mr. Seigel's response to the hearing notice admits that ten years ago he committed a misdemeanor "transgression" against his adopted daughter that was seen by the Rockland County courts as an aberration and as an isolated event resulting in a Sealed Order with a probationary period and counseling. He contends his sentence left his New York State teacher's license valid and intact. He contends that he honestly confronted the issues surrounding the abuse incident, that he did not and has not since exhibited any such similar behavior and that he continued to teach throughout the years not only without incident but also with dedication. He adds that he was awarded custody of his own two children in 1994 and 1995 by the same court system that dealt with the abuse incident in question. He asks the board to recognize that he is a normal healthy person who erred ten years ago. He attaches an evaluation from a psychologist, a rabbi's letter bespeaking his good character and another from the social worker assigned his case, as well as performance evaluations from his employer.

Mr. Seigel's Answer to the Order to Show Cause again admits the offense, as well as the fact that he failed to indicate on his criminal history report that he had been convicted of a crime in this or any other state. He states that he did contest his disqualification once he discovered that the sealed record of the conviction in New York State would not protect him from further

investigation outside of New York. He apologizes for attempting to conceal his past, but states he did not think he would have the opportunity to teach in New Jersey had he admitted his conviction. Yet, he claims he would never consider a teaching position if he thought that any child would be at physical or emotional risk because he was that child's teacher. He therefore asks that the State Board of Examiners not revoke his New Jersey Teacher of the Handicapped license.

At its meeting of October 9, 1997, the State Board of Examiners reviewed the charge against Mr. Seigel as well as his responses to the Order to Show Cause and the hearing notice. After its review, the State Board of Examiners determined that no material facts related to Ms. Seigel's offense were in contest, and that the matter could, therefore, proceed to a determination as to whether the charges levied against him in the Order to Show Cause constitute conduct unbecoming a license holder pursuant to N.J.A.C. 6:11-3.6(a)1.

By virtue of holding a teaching license, the respondent has been entrusted by the State with the care and custody of school children. Tenure Hearing of Sammons, 1972 S.L.D. 302, 321. The respondent has, however, by his conduct, violated that most sacred trust. He has impermissibly endangered a minor. Such comportment is so foreign to the expectations of the deeds and actions of a professional certificated teacher - or of any person - that it raises doubts as to the continued performance of that person in the classroom. Tenure of Blasco, OAL Dkt. EDU 3842-79 (July 15, 1980), mod. Comm'r of Ed. (August 28, 1980), mod. St. Bd. of Ed. (Feb. 4, 1981). The public must be assured that the respondent will no longer be given access to children as a teacher.

Moreover, in addition to finding the criminal offense for which Mr. Seigel's was found guilty conduct unbecoming a teaching staff member, his failure to reveal his criminal history also represents conduct unbecoming a teaching staff member.

Mr. Seigel is also disqualified from employment in the public schools of New Jersey pursuant to N.J.S.A. 18A:6-7.1 as a result of his conviction for sexual abuse of a child. In enacting that statute, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger to them. That strong policy statement on the part of the Legislature offers guidance to the State Board of Examiners as to the appropriate sanction in this matter.

Accordingly, the State Board of Examiners finds respondent's conviction and his dishonest misrepresentation on his criminal history conduct unbecoming a license holder. The appropriate penalty for his unbecoming conduct is the revocation of respondent's teaching license.

It is, therefore, ORDERED that Steven Seigel's New Jersey Teacher of the Handicapped license be hereby revoked on this 9th day of October, 1997.

It is further ORDERED that Steven Seigel return his licenses to the Secretary of the State Board of Examiners, Office of Licensing, P.O. box 500, Trenton, NJ 08625-0500 within fourteen (14) days of receipt of this letter.

Secretary
State Board of Examiners

Date of Mailing: November 19, 1997

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

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