

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
LARRY A. ANGNEY, II : ORDER OF REVOCATION
_____ : DOCKET NO: 1011-193

At its meeting of May 12, 2011, the State Board of Examiners (Board) reviewed information regarding Larry Angney, II. In January 2010, Angney pled guilty in Pennsylvania to Homicide by Vehicle and Accidents Involving Death or Personal Injury. On February 18, 2010, Angney was sentenced to between one year six months and three years in prison on each charge. In March 2010, Angney surrendered his Pennsylvania teaching certificates in lieu of discipline. In New Jersey, Angney currently holds a Teacher of Mathematics certificate, issued in September 1997. Upon review of the above information, at its June 16, 2011 meeting, the Board voted to issue Angney an Order to Show Cause.

The Board sent Angney the Order to Show Cause by regular and certified mail on June 20, 2011. The Order provided that Angney must file an Answer within 30 days. The certified mail receipt was signed and returned and the regular mail copy was not returned. Angney did not respond. Thereafter, on August 3, 2011, the Board sent Angney another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. Angney responded on August 16, 2011. In that Answer, Angney admitted that he pled guilty to Homicide by Vehicle and Accidents Involving Death or Personal Injury and was sentenced to three to six years in prison. (Answer, ¶ 4). Angney stated that since his district had allowed him to work after the accident in October 2008, he resigned from his teaching position in Pennsylvania the day of his sentencing in February 2010. (Answer, ¶ 5). Angney added that he accepted full responsibility for his drinking and driving accident and added that he had been “terribly distraught” over his actions. (Answer, ¶¶ 6, 7). Angney claimed that he would never forget the pain and suffering he had caused the victim’s family and noted that he felt he had a

second chance “at proving to the world again that I can make a difference in the lives of those students and athletes that I may be in contact with in the future.” (Answer, ¶ 7). Angney also asked that the Board delay making any final decision in his case until he could appear in person following his release from prison. (Answer, ¶ 7).

The Board placed Angney’s case into abeyance. After receiving notification of Angney’s release, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on January 31, 2014, the Board sent Angney a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Angney 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 determined 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 Angney’s conduct warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Angney was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Angney did not submit a Hearing Response but did appear before the Board at its meeting on April 4, 2014 to offer testimony.

In testimony before the Board, Angney stated that the fatal car accident still affects him to this day. He noted that he had been a Math teacher in Pennsylvania for 16 years and that his passion had always been teaching. He stated that he was barred from teaching in Pennsylvania for 16 years and that he could teach only at the college level. Angney added that he had spent four years in prison and had returned to his family in January 2014. He noted that he was trying to begin his life again and thanked the Board for the opportunity to appear.

The threshold issue before the Board in this matter is whether Angney’s convictions and the surrender of his Pennsylvania licenses constitute conduct unbecoming a certificate holder. At

its meeting of July 15, 2014, the Board considered the allegations in the Order to Show Cause, Angney's Answer and his testimony. The Board determined that no material facts related to Angney's offenses were in dispute since he admitted that he had pled guilty, served his sentence and had surrendered his certificates in Pennsylvania. 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 Angney's conviction and the surrender of his Pennsylvania certificates, as set forth in the Order to Show Cause, represent just cause to act against his certificates pursuant to *N.J.A.C.* 6A:9-17.5. The Board finds that they do.

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: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.

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). In this matter, Angney's conviction for Homicide by Vehicle and Accidents Involving Death or Personal Injury resulted in a prison term and the surrender of his Pennsylvania certificates.

Moreover, it is well established that the Board has the right to revoke a certificate where the teacher was involved in criminal conduct, even if the conduct was unrelated to the classroom. *See Cox v. State Board of Examiners*, (App. Div. Docket No. A-3527-81T3) (November 18, 1983); *State Board of Examiners v. Krupp*, 3 *N.J.A.R.* 285 (1981). Here, Angney's conviction is for an offense involving drinking and driving in which another person was killed and Angney

left the scene. A teacher's behavior outside the classroom may be relevant in determining that person's qualifications and continued fitness to retain his certificates. *In re Grossman*, 127 N.J. Super. 13, 30 (App. Div. 1943), cert. denied 65 N.J. 292 (1974). Furthermore, although the accident took place in Pennsylvania, the Board is not restricted to behavior that takes place in New Jersey in determining whether that person is fit to teach in this state. The Board believes that given the totality of circumstances here, the appropriate sanction in this matter is the revocation of Angney's certificate.

Accordingly, on July 15, 2014, the Board voted to revoke Larry Angney II's Teacher of Mathematics certificate. On this 24th day of July 2014 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Larry Angney's certificate be effective immediately. It is further ORDERED that Angney 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.

Robert R. Higgins, Secretary
State Board of Examiners

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to *N.J.S.A.* 18A:6-38.4.