

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
ANTHONY POMEROY : ORDER OF REVOCATION
_____ : DOCKET NO: 1718-242

At its meeting of June 29, 2018, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Vermont Agency of Education (VAE) had forwarded regarding Anthony Pomeroy. On November 10, 2017, Pomeroy was issued a formal reprimand on his Vermont educator licenses following allegations that he failed to maintain appropriate boundaries with a seventh-grade female student, C.F. Specifically, Vermont alleged that Pomeroy had allowed C.F. to text and email him and allowed her to spend time with him in his office. C.F. did not have to attend classes, complete assignments and could only be disciplined and/or reprimanded by Pomeroy. On at least one occasion, C.F. was observed in Pomeroy's office with her legs draped over his. There were occasions when Pomeroy and C.F. were in his office with the door closed and the lights off.

Pomeroy also fraudulently issued a \$20 check to a parent out of the district's Student Activity Account to pay for one of C.F.'s debts. C.F. had stolen a sweatshirt from another student and made the student pay \$20 to get the sweatshirt back. After the parent complained to Pomeroy, he issued the parent a check and allowed C.F. to keep the money.

In New Jersey, Pomeroy currently holds a Teacher of Elementary School in Grades K-8 certificate. Upon review of the above information, at its September 21, 2018 meeting, the Board voted to issue Pomeroy an Order to Show Cause as to why his certificate should not be revoked.

The Board sent Pomeroy the Order to Show Cause by regular and certified mail on October 4, 2018. The Order provided that Pomeroy had 30 days to respond. The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Pomeroy did not respond. On November 29, 2018, the Board sent Pomeroy another notice by certified and regular mail providing him an additional 15

days to respond to the Order to Show Cause. The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Pomeroy did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on December 28, 2018, the Board sent Pomeroy 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, Pomeroy 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 Pomeroy’s offense warranted action against his certificate. Thereupon, the Board would also determine the appropriate sanction, if any. Pomeroy was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was returned as “Unclaimed” and the regular mail copy was not returned. Once again, Pomeroy did not file a response.

The threshold issue before the Board in this matter is whether Pomeroy’s conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Pomeroy 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 May 17, 2019, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC and the VAE. The Board concluded that no material facts related to Pomeroy’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 Pomeroy had engaged in unbecoming conduct.

The Board must now determine whether Pomeroy’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). Pomeroy’s actions in allowing a female seventh-grade student to text and email him, spend time in his office and miss class and not complete assignments clearly demonstrate conduct that is unacceptable for a role model. Those actions, coupled with the formal reprimand issued on his Vermont teaching certificate, leads the Board to therefore conclude that the appropriate response to his breach is the revocation of his New Jersey certificate.

Accordingly, on May 17, 2019, the Board voted to revoke Anthony Pomeroy’s Teacher of Elementary School in Grades K-8 certificate. On this 28th day of June 2019 the Board voted to adopt its formal written decision and it is therefore ORDERED that Pomeroy’s certificate is revoked, effective immediately. It is further ORDERED that Pomeroy 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, Acting 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.