

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
ROMIE L. DOSS : ORDER OF SUSPENSION
_____ : DOCKET NO: 2021-165

At its meeting of May 13, 2021, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the South Carolina State Board of Education (South Carolina Board) provided the Board regarding Romie L. Doss. On or about August 12, 2019, Doss was charged in South Carolina with grand larceny, South Carolina Code, Section 16-13-30. Doss allegedly sold a student's musical instrument to a pawn shop. The student previously reported to law enforcement that the instrument was missing and/or possibly stolen. Doss completed pretrial intervention program and provided restitution to the pawn shop. On March 9, 2021, the South Carolina Board suspended Doss' educator certificate after finding he engaged in actions constituting unprofessional conduct.

Doss currently holds a Teacher of Music certificate. Upon review of the above information, at its June 25, 2021 meeting, the Board voted to issue Doss an Order to Show Cause as to why his certificates should not be revoked.

After securing a correct current address for Doss, the Board sent him the Order to Show Cause by regular and certified mail on November 21, 2021. The Order provided that Doss had 30 days to respond pursuant to *N.J.A.C.* 6A:9B-4.6(b). The certified mail copy was returned as "Unclaimed" and the regular mail copy was not returned. Doss did not file a response.

On June 28, 2023, the Board sent Doss another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause pursuant to *N.J.A.C.*

6A:9B-4.6(c). The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Doss did not file a response.

Thereafter, pursuant to *N.J.A.C.* 6A:9B-4.6(e), on October 20, 2023, the Board sent Doss 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, Doss 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 his offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Doss was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail copy was returned as “Unclaimed” and the regular mail copy was not returned. Once again, Doss did not file a response, nor did he notify the Board that he wished to appear for a hearing.

The threshold issue before the Board in this matter is whether Doss’ conduct constitutes conduct unbecoming of a certificate holder or other just cause. Since Doss 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 April 11, 2024, the Board considered only the allegations in the Order to Show Cause and the information received from the South Carolina Board and NASDTEC. The Board concluded that no material facts related to Doss’ offense were in dispute since he never denied that he had 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).

The Board must now determine whether Doss' 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. A "violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct" may provide the basis for a finding of unbecoming conduct. *Bound Brook Bd. of Educ. v. Ciripompa*, 228 *N.J.* 4, 14 (2017) (quoting *Karins v. City of Atlantic City*, 152 *N.J.* 532, 555 (1998)). The "elastic" concept of "conduct unbecoming" includes "conduct which adversely affects the morale or efficiency" or "which has a tendency to destroy public respect for employees and confidence in the operation of services." *In re Emmons*, 63 *N.J. Super.* 136, 140 (App. Div. 1960); accord *Bound Brook Bd. of Educ.*, 228 *N.J.* at 13. 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).

After reviewing the admitted allegations, the Board found that Doss had engaged in unbecoming conduct. An educator should not be taking musical instruments of students and selling them to a pawn shop. The Board finds that Doss' conduct provides just cause to act against his certificates. In this instance, Doss' actions in selling a student's stolen musical instrument to a pawn shop clearly demonstrate conduct that is unacceptable for a role model and violates the implicit standard of good behavior expected of a public school teacher.

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. In this instance, the Board concludes that the appropriate response to Doss' breach in conduct of an educator is a two-year suspension of his certificate.

Accordingly, on April 11, 2024, the Board voted to suspend Romie L. Doss' Teacher of Music certificate for a period of two years. On this 23rd day of May 2024 the Board voted to adopt its formal written decision and it is therefore ORDERED that Doss' certificate is hereby suspended for two years, effective immediately. It is further ORDERED that Doss 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.