

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CERTIFICATES OF : STATE BOARD OF EXAMINERS  
ANTHONY E. HANEY : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1819-189

At its meeting of April 12, 2019, the State Board of Examiners (Board) reviewed information the National Association of State Directors of Teacher Education and Certification (NASDTEC) and the Commonwealth of Pennsylvania Professional Standards and Practices Commission (Commission) had forwarded regarding Anthony E. Haney. In October 2018, the Commission revoked Haney's teaching certificate after he pled guilty in August 2016 to Stalking.

In New Jersey, Haney currently holds Teacher of Elementary School in Grades K-8 certificate. Upon review of the above information, at its May 17, 2019 meeting, the Board voted to issue Haney an Order to Show Cause as to why his certificates should not be revoked.

After obtaining the correct address, the Board sent Haney the Order to Show Cause by regular and certified mail on May 30, 2019. The Order provided that Haney had 30 days to respond. The certified mail receipt was unclaimed, and the regular mail copy was not returned. Haney did not respond. After again obtaining a more updated address, on August 2, 2019, the Board sent Haney another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail receipt was signed and returned, and the regular mail copy was not returned. Haney did not file a response.

Thereafter, pursuant to *N.J.A.C. 6A:9B-4.6(e)*, on November 18, 2019, the Board sent Haney 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, Haney 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 Haney's offense warranted action against his certificates. Thereupon, the Board would also determine the appropriate sanction, if any. Haney was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was unclaimed and the regular mail copy was not returned. Once again, Haney did not file a response.

The threshold issue before the Board in this matter is whether Haney's conduct constitutes conduct unbecoming a certificate holder or other just cause. Since Haney 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 February 28, 2020, the Board considered only the allegations in the Order to Show Cause and the information received from NASDTEC and the Commission. The Board concluded that no material facts related to Haney's offense were in dispute since he never denied that he 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 Haney had engaged in unbecoming conduct.

The Board must now determine whether Haney's 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*. 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). Haney's conviction for Stalking and the surrender of his Pennsylvania certificate, lead the Board to conclude that the appropriate response to his breach is the revocation of his New Jersey certificates.

Accordingly, on February 28, 2020, the Board voted to revoke Haney's Teacher of Elementary Education Grades K-8 certificate. On this 14<sup>th</sup> day of May 2020 the Board voted to adopt its formal written

decision and it is therefore ORDERED that Haney's certificate(s) are hereby revoked, effective immediately. It is further ORDERED that Haney return his certificate(s) 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.

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Rani Singh, 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.