

IN THE MATTER OF	:	NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATES OF	:	STATE BOARD OF EXAMINERS
WILLIAM THOMAS	:	ORDER OF REVOCATION
	:	DOCKET NO: 0910-125

At its meeting of October 22, 2009, the State Board of Examiners reviewed information received from the Liberty Academy Charter School (Liberty), the Commissioner of Education and the Union County Prosecutor's Office regarding William Thomas. Liberty reported that Thomas had been terminated from his position as principal in May 2009, following allegations that he had solicited cash from parents and staff at their homes from a school telephone late at night and in the early morning hours. Additionally, cash, laptop computers, a staff book and student files were taken from the school. Previously, in May 2008, the Commissioner had dismissed Thomas from his tenured position in the Plainfield School District for unbecoming conduct. *In the Matter of the Tenure Hearing of William Thomas*, Dkt. No. 242-08 (Commissioner's Decision, May 23, 2008.) The Commissioner concluded that the conduct underlying Thomas' indictment for possession of cocaine and drug paraphernalia warranted his dismissal. The Appellate Division of the Superior Court affirmed the Commissioner's decision on July 28, 2009. *In the Matter of the Tenure Hearing of William Thomas*, Dkt. No. A-6096-07T1 (App. Div. July 28, 2009) (Unreported). The Union County Prosecutor's Office notified the Board of Examiners that Thomas had been accepted into a Pre-Trial Intervention program and that the drug charges had been dismissed in April 2007 upon his completion of the program. Thomas currently holds a Teacher of Elementary School Certificate of Eligibility, issued in September 1993, a Teacher of Mathematics Certificate of Eligibility, issued in February 1995, Teacher of Elementary School and Teacher of Math certificates, both issued in September 1995, a Principal Certificate of Eligibility, issued in August 1998, a Principal certificate, issued in March 2000 and a School Administrator Certificate of Eligibility, issued in November 2000.

Upon review of the above information, at its December 2, 2009, meeting, the State Board of Examiners voted to issue Thomas an Order to Show Cause.

The Board sent Thomas the Order to Show Cause by regular and certified mail on December 7, 2009. The certified mail copy was not returned. The regular mail copy was also not returned. The Order provided that Thomas must file an Answer within 30 days. Thomas did not file a response. Thereafter, on January 14, 2010, the Board sent Thomas 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 not returned. The regular mail copy was not returned. Thomas did not respond to the second notice either.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on February 24, 2010, the Board of Examiners sent Thomas a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Thomas 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 certificates. It also explained that upon review of the charges against him and the legal arguments tendered in his defense, the State Board of Examiners would determine if Thomas' offense warranted action against his certificates. Thereupon, the Board of Examiners would also determine the appropriate sanction, if any. Thomas was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. Once again, neither copy was returned nor did Thomas file a response.

The threshold issue before the State Board of Examiners in this matter, therefore, is whether Thomas' conduct, as set forth in the Order to Show Cause, constitutes conduct unbecoming a certificate holder. Since Thomas failed to respond to the Order to Show Cause or the hearing notice, at its meeting of June 10, 2010, the State Board of Examiners considered only the allegations in the Order to Show Cause. The Board of Examiners determined that no

material facts related to Thomas' conduct were in dispute since he never denied that he had engaged in the alleged conduct. Thus, the Board of Examiners 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 State Board of Examiners must now determine whether Thomas' conduct, as set forth in the Order to Show Cause, represents just cause to act against his certificates pursuant to *N.J.A.C.* 6A:9-17.5. The Board finds that it does.

The State Board of Examiners 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. Moreover, the Commissioner has long held that teachers serve as role models for their students. Thomas' conduct in soliciting cash from parents and staff at their homes and from a school telephone late at night and in the early morning hours and in allegedly taking cash, laptop computers, a staff book and student files from Liberty is inexcusable. Moreover, his dismissal from his tenured position in Plainfield for unbecoming conduct involving his possession of cocaine and drug paraphernalia prohibits Thomas from laying claim as a role model to anyone. In this instance, Thomas' repeated lack of judgment and his egregious behavior warrants revocation.

Accordingly, on June 10, 2010, the Board of Examiners voted to revoke William Thomas' Teacher of Elementary School, Teacher of Mathematics, Principal and School Administrator Certificates of Eligibility and his Teacher of Elementary School, Teacher of Mathematics and Principal certificates. On this 22nd day of July 2010 the Board of Examiners voted to adopt its formal written decision and it is therefore ORDERED that the revocation of

Thomas' certificates be effective immediately. It is further ORDERED that Thomas return his certificates 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*.

RRH:MZ:th