

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Surrender of the Educator)
Certificate of Anthony Dominick Gomez)
Certificate 248044)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 8, 2013. On April 1, 2013, the South Carolina Department of Education (SCDE) sent notice to Mr. Anthony Dominick Gomez of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina certificate 248044 by regular and certified mail, restricted delivery. After receiving the notice on April 9, 2013, Mr. Gomez informed the Office of Educator Certification, Recruitment and Preparation that he agreed to waive his right to a hearing and permanently surrender his South Carolina educator certificate 248044. After considering the evidence presented, the State Board voted to accept the Consent Order of Permanent Voluntary surrender of Mr. Gomez's educator certificate 248044.

FINDINGS OF FACT

Mr. Gomez holds a professional educator certificate and has three years of teaching experience. The Horry County School District (District) employed Mr. Gomez for the 2012-2013 school year as an instructor at the Academy for the Arts, Science and Technology until he resigned effective November 9, 2012, after a District investigation into allegations that Mr. Gomez was improperly communicating via Facebook with a student from a school district where Mr. Gomez was previously employed. Mr. Gomez admitted the allegations to District administration that he had engaged in inappropriate communication of a sexual nature with the student and that this behavior was wrong.

On April 1, 2013, the SCDE sent notice to Mr. Gomez of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina certificate 248044 by regular and certified mail, restricted delivery. After

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receiving the notice on April 9, 2013, Mr. Gomez informed the Office of Educator Certification, Recruitment and Preparation that he agreed to waive his right to a hearing and permanently surrender his South Carolina educator certificate 248044. Mr. Gomez stated that he has left South Carolina and is no longer employed in a teaching position.

Mr. Gomez has acknowledged that he has engaged in unprofessional conduct and has demonstrated evident unfitness for teaching as a result of his inappropriate communication of a sexual nature with a student.

Mr. Gomez agrees to the permanent surrender of his South Carolina educator certificate 248044 subject to the following conditions: (1) his educator certificate will become permanently invalid and permanently revoked immediately upon the approval by the State Board of the Consent Order of Voluntary Surrender; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the permanent surrender and permanent revocation of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse.

CONCLUSIONS OF LAW

The State Board has jurisdiction of this matter pursuant to S.C. Code Ann. § 59-25-150 (2004). "The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes: "Unprofessional conduct and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 2 S.C. Code Regs 43-58 (2011). The State Board finds that the evidence presented by the SCDE, which is undisputed by Mr. Gomez, demonstrates that Mr. Gomez engaged in unprofessional conduct and demonstrated evident unfitness for position for which employed as a result of his inappropriate communication of a sexual nature with a student. The evidence presented supports the State Board's decision to accept the permanent voluntary surrender of educator certificate 248044, issued under the name of Anthony Dominick Gomez, and to permanently revoke and render permanently invalid Mr. Gomez's educator certificate effective May 8, 2013.

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Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of Anthony Dominick Gomez, certificate 248044, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and permanent revocation of the educator certificate of Anthony Dominick Gomez, certificate 248044 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
David W. Blackmon, Ph.D., Chair

Columbia, South Carolina
May 8, 2013

I, Anthony Dominick Gomez, S.C. Educator Certificate 248044, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; I hereby freely, knowingly and voluntarily permanently surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this permanent surrender shall have the same effect as a permanent revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the proposed Consent Order of Permanent Voluntary Surrender, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on May 8, 2013.


Anthony Dominick Gomez

4-29-13
Date