

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Matthew L. Blomstedt, Ph.D.)
Commissioner of Education)
P.O. Box 94933)
Lincoln, NE 68509-4933,)
)
Petitioner,)
)
v.)
)
Morgan Anthony)
2724 N. 48th Street)
Omaha, NE 68104,)
)
Respondent.)

NDE Case No. 23-18

FINAL ORDER

This matter came before the State Board of Education ("State Board"), Lincoln, Nebraska, on June 27, 2023, upon the recommendation of the Nebraska Professional Practices Commission ("NPPC") that the public Nebraska teaching certificate of Respondent, Morgan Anthony, be permanently revoked. The parties were notified of the State Board's consideration in this matter. Appearing before the State Board was Tamra L. Walz, General Counsel, on behalf of the Commissioner of Education. NPPC Clerk Kelly Muthersbaugh appeared and provided a summary of the NPPC's recommendation in this matter. The Respondent did not appear.

The record of the NPPC proceeding, containing the "Findings of Fact, Conclusions of Law, and Recommendation of the Commission," and all of the pleadings, exhibits, and a written transcript of the NPPC hearing, was received by the State Board into evidence as "Exhibit 1." The Notice of Disposition and the certified mail return receipt were received

into evidence as "Exhibit 2." Upon its independent review of the entire record, the State Board finds, concludes, and orders as follows:

1. The State Board has jurisdiction in this case pursuant to Neb. Rev. Stat. § 79-866(2) (2014);

2. The Petitioner is Matthew L. Blomstedt, Ph.D., Commissioner of Education, P.O. Box 94933, Lincoln, NE 68509-4933;

3. The Respondent is Morgan Anthony, 2724 N. 48th Street, Omaha, NE 68104;

4. The Respondent holds a public Nebraska Initial teaching certificate number 2018012238, endorsed as Special Education Generalist K-12, with an expiration date of August 31, 2023;

5. The Respondent was employed by Omaha Public Schools ("OPS") as a special education teacher beginning with the 2020-2021 school year;

6. On April 13, 2022, Andrew Karmazin, Principal of Bryan Middle School, reported that he received a phone call from a concerned parent who stated a minor was in a relationship with a teacher at Central High School. The parent reported that the minor, who was a student at Bryan, was being tutored by the Respondent outside of OPS and that the student's father had arranged the tutoring;

7. The parent told Karmazin that text messages between the student and the Respondent involved communication about the Respondent wanting to have the student's baby, cocaine, marijuana, alcohol and having sex. The parent advised that the student ran away from home and was staying with the Respondent. The parent found photos on Instagram of the student and the Respondent together. The parent did not want to contact

law enforcement because she did not want anything bad to happen to the Respondent but stated she wanted the relationship to end. Karamzin informed the parent that as a mandatory reporter, he had to report the concerns to Child Protective Services;

8. On March 7, 2022, prior to receipt of the complaint, OPS received and accepted Respondent's resignation effective at the end of the 2021-2022 school year. The resignation was unrelated to the allegations, and indicated that Respondent was resigning to move out of state. However, Respondent's conduct described in ¶ 7 above was in violation of OPS school policy.

9. The Respondent has violated Neb. Rev. Stat. § 79-866(2) (2014), which states, in part: "The board may, for just cause, revoke or suspend any teacher's or administrator's certificate. Violation of the standards established pursuant to this section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board"; Title 92, *Nebraska Administrative Code*, Chapter 27, Section 004.03C (effective date: November 12, 2003) ("the educator: Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety"); Section 004.04E (same effective date) ("the educator: Shall not commit any act of moral turpitude or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21"); Section 005.02B2 (same effective date) ("Each teacher and special services provider shall: Adhere to and enforce written and dated administrative policy of the school which has been communicated to the teacher or special services provider"); and Section

005.06D (same effective date) ("The educator shall: Develop and maintain positive standards of conduct");

10. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. § 79-866(2) (2014) to permanently revoke the Respondent's teaching certificate; and

11. The public Nebraska Initial teaching certificate of Morgan Anthony, number 2018012238, endorsed as Special Education Generalist K-12, with an expiration date of August 31, 2023, shall be permanently revoked from and after the date of this order.

Dated this 27th day of June, 2023.

STATE BOARD OF EDUCATION

BY: 
Patti Gubbels, President

The vote by the State Board of Education to approve the Final Order in Case No. 23-18, on June 27, 2023, was 8 in favor, _____ against, _____ abstaining, and _____ absent. Individual State Board members voted as follows:

IN FAVOR: J. Morrison, L. Fricke, S. Jones, P. Gubbels, P. Koch Johns, D. Neary,

E. Tegtmeier, K. Penner

AGAINST: _____

ABSTAINING: _____

ABSENT: _____

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order was served upon the Respondent, Morgan Anthony, 2724 N. 48th Street, Omaha, NE 68104, by regular U.S. Mail; Kelly Muthersbaugh, NPPC Clerk, 301 Centennial Mall South, Lower Level, Lincoln, NE 68509, by interoffice mail; and Tamra L. Walz, General Counsel, Nebraska Department of Education, 500 S. 84th Street, 2nd Floor, Lincoln, NE 68510-2611, by interoffice mail, all on this 24th day of June, 2023.



49-3255-30