

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Patrick John Aiello,)
Certificate 265417)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on August 12, 2015. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator professional certificate of Patrick John Aiello, certificate 265417, as a result of his arrest on August 10, 2015, and being charged with Criminal Sexual Conduct, 1st degree, pursuant to S.C. Code Ann. § 16-3-652 (1)(b) (2010); and Kidnapping, pursuant to with S.C. Code Ann. § 16-3-910 (1991).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Aiello may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Aiello’s educator professional certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Aiello of the summary suspension, as well as, the possible suspension or revocation of his educator professional certificate.

FINDINGS OF FACT

Mr. Aiello holds a South Carolina educator professional certificate and has two (2) years of teaching experience in South Carolina. Mr. Aiello has been employed by the Charleston County School District (District) since 2014, as a social studies teacher at Jerry Zucker Middle School of Science (School) and is currently on administrative leave effective August 11, 2015. On August 10, 2015 Mr. Aiello was arrested and charged with Criminal Sexual Conduct, 1st degree, pursuant to S.C. Code Ann. § 16-3-652 (1)(b) (2010); and Kidnapping, pursuant to S.C.

Code Ann. § 16-3-910 (1991), as a result of allegations reported by law enforcement that Mr. Aiello had kidnapped a twenty-three (23) year old female and had forcible sex.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Aiello may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Aiello's educator professional certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Aiello of the summary suspension, as well as the possible suspension or revocation of his educator professional certificate.

CONCLUSIONS OF LAW

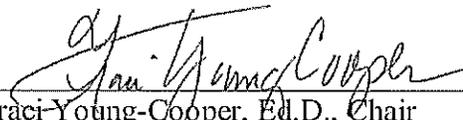
"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). "'Just cause' may consist of any one or more of the following: . . . unprofessional conduct. . . [i]mmorality; [a]ny conduct involving moral turpitude. . . [or] [e]vident unfitness for position for which employed. . ." S.C. Code Ann. § 59-25-160 (2004). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "[i]f the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann § 59-5-10 (2004), and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of Mr. Aiello's alleged conduct with an adult female and his arrest on August 10, 2015, for Criminal Sexual Conduct, 1st degree, pursuant to S.C. Code Ann. § 16-3-652 (1)(b) (2010); and Kidnapping, pursuant to with S.C. Code Ann. § 16-3-910 (1991), he has engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and demonstrated evident unfitness for position for which employed. The Chair also finds that there is reason to believe that Mr. Aiello may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Patrick John Aiello, certificate 265417, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Aiello of the summary suspension, as well as, the possible suspension or revocation of his educator professional

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certificate. The suspension of Mr. Aiello's educator professional certificate 265417 shall be immediately reported to the NASDTEC Clearinghouse and all South Carolina school districts.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Traci Young-Cooper, Ed.D., Chair

Columbia, South Carolina
August 13, 2015