

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)
)
the Educator Certificate of)
)
Jason A. Spagnolia)
)
Certificate 226670)
_____)

**ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 8, 2016. On September 30, 2016, the South Carolina Department of Education (SCDE) sent Jason A. Spagnolia a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 226670 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Spagnolia received the notice on October 6, 2016, as evidenced by the signed postal receipt. Mr. Spagnolia did not request a hearing and is in default. After considering the evidence presented, the State Board voted to suspended Mr. Spagnolia's educator certificate for a period of one year commencing on November 8, 2016, and ending on November 7, 2017.

FINDINGS OF FACT

Mr. Spagnolia holds a professional educator certificate and has ten years of teaching experience. He began employment with the Berkeley County School District (District) in August 2006. The District employed Mr. Spagnolia as a physical education teacher at Berkeley Middle School (School) during the 2015-2016 school year.

Mr. Spagnolia was reassigned from his position as an assistant principal at Westview Primary to a teaching position after the District allowed him to resign from the assistant principal position. During his employment as an assistant principal the previous school year, the District expressed concerns about Mr. Spagnolia's location during school hours and his dishonesty when questioned by the administration. After being assigned to a teacher position at the School, Mr. Spagnolia repeated this behavior and was again absent during instructional hours as well as being dishonest with his superiors.

On May 18, 2016, Mr. Spagnolia was in a car accident when he left school grounds without permission during the school day. He returned to work on Monday, May 23, 2016, but failed to report to two lab classes that he instructed with a teaching assistant. A review of the School's cameras on May 23, 2016, revealed Mr. Spagnolia entering a vacant classroom during the time he was assigned to teach the lab course and exiting the vacant classroom two hours later. When asked about his classes on May 23, 2016, Mr. Spagnolia spoke of his normal school schedule. When asked how his classes had been, he replied they had gone well. He was then specifically asked if had been able to teach all his classes that day and he indicated he had taught them. Mr. Spagnolia was then informed of the video indicating he had been in a vacant classroom and had not taught his morning lab classes as he claimed. Mr. Spagnolia replied that he never said he had been present for the classes, and that he had only spoken of his normal schedule. District administration informed him that his statement was not correct as he had clearly indicated just minutes earlier that he had taught all of his classes that day. Mr. Spagnolia was then placed on administrative leave and subsequently resigned from the District, effective July 25, 2016.

On September 30, 2016, the SCDE sent Mr. Spagnolia a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 226670 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Spagnolia received the notice on October 6, 2016, as evidenced by the signed postal receipt. Mr. Spagnolia did not request a hearing and is in default. After considering the evidence presented, the State Board voted to suspended Mr. Spagnolia's educator certificate for a period of one year commencing on November 8, 2016, and ending on November 7, 2017.

CONCLUSIONS OF LAW

"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, dishonesty, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Spagnolia engaged in unprofessional conduct, dishonesty, and demonstrated unfitness for teaching

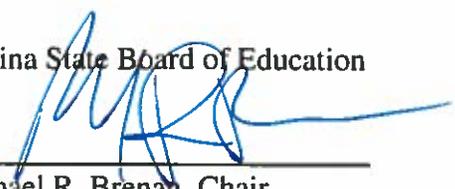
as a result of his leaving the School campus without supervisor approval and his lying to his supervisors about his location during instructional hours. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Jason A. Spagnolia on the grounds of unprofessional conduct, dishonesty, and evident unfitness for teaching, for a period of one year commencing on November 8, 2016, and ending on November 7, 2017.

Now, therefore, it is hereby ordered that the educator certificate of Jason A. Spagnolia, certificate 226670, is suspended for a period of one year commencing on November 8, 2016, and ending on November 7, 2017. If Mr. Spagnolia wishes to have his certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. Mr. Spagnolia shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Spagnolia's educator certificate 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:



Michael R. Brennan, Chair

Columbia, South Carolina
November 8, 2016