

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Surrender of the Educator)
Certificate of Douglas Derek Bell)
Certificate 140278)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER AND REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 14, 2012. On August 14, 2012, the South Carolina Department of Education (SCDE) initiated an investigation after receiving a complaint alleging educator misconduct involving Douglas Derek Bell. During the investigation, Dr. Bell's attorney advised the SCDE that Dr. Bell desired to waive his right to a hearing and agreed to permanently surrender his South Carolina educator certificate 140278. Dr. Bell agrees with the terms and conditions of this Consent Order of Permanent Voluntary Surrender and Revocation. After considering the evidence presented, the State Board voted to accept the Consent Order of Permanent Voluntary Surrender and Revocation of Dr. Bell's educator certificate 140278.

FINDINGS OF FACT

Dr. Bell holds a professional educator certificate and has over fifteen years of teaching experience. He has no prior record of disciplinary action with the State Board. Dr. Bell was previously employed by Kershaw County School District (District) as the music teacher at Blaney Elementary School (School) from August 2008 until his resignation and retirement effective September 10, 2012. The District had previously placed Dr. Bell on administrative leave on May 22, 2012, through August 10, 2012, and August 12, 2012, through September 10, 2012, while the District investigated allegations that Dr. Bell had engaged in inappropriate conduct towards a student at the School. The District received a report that Dr. Bell had allegedly grabbed a student by her head and neck and whispered profanity in her ear. Dr. Bell denied these allegations.

Dr. Bell has considered the implications of these allegations and the consequences of an adverse finding by the State Board. Dr. Bell understands that there may be enough

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evidence for the State Board to make an adverse finding. In lieu of a hearing before the State Board, Dr. Bell has agreed to permanently surrender his South Carolina educator certificate. Dr. Bell continues to deny the allegations.

Dr. Bell agrees to the permanent surrender of his South Carolina educator certificate 140278 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 this Consent Order; (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; (3) while Dr. Bell has alleged various defenses and contests the allegations; he waives his right to a contested hearing; (4) Dr. Bell has resigned and receives Medicaid disability, has no intentions in continuing to be employed in a position that requires an educator certificate, and he believes it is in the best interests of all parties and in the interest of judicial economy to settle this matter without a contested hearing and (5) he understands that the permanent surrender of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and revocation with the reason stated as "unprofessional conduct."

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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." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Dr. Bell engaged in unprofessional conduct as a result of his inappropriate conduct towards a student at the School. The evidence, presented with Dr. Bell's waiver of process for purposes of this agreement, supports the State Board's decision to accept the permanent voluntary surrender of educator certificate 140278, issued under the name of Douglas Derek Bell and to permanently revoke and render permanently invalid Dr. Bell's educator certificate effective November 14, 2012.

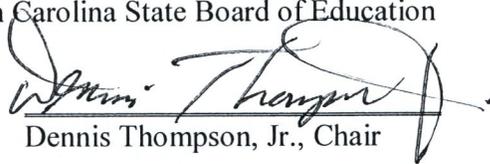
Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender and Revocation is accepted and the educator certificate of Douglas Derek Bell,

certificate 140278, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and permanent revocation of the educator certificate of Douglas Derek Bell, certificate 140278 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct."

AND IT IS SO ORDERED.

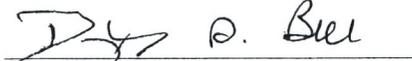
South Carolina State Board of Education

By:


Dennis Thompson, Jr., Chair

Columbia, South Carolina
November 14, 2012

I, Douglas Derek Bell, S.C. Educator Certificate 140278, 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 deny the allegations. 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, music 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 and Revocation, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on November 14, 2012.


Douglas Derek Bell

7 Nov 2012
Date