

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Eric Thomas Helms,)
Certificate 248841)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on April 2, 2013. 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 certificate of Eric Thomas Helms, certificate 248841, as a result of his being arrested on or about March 29, 2013, in Charleston County, South Carolina, and being charged with Sexual Battery With A Student, pursuant to S.C. Code Ann. § 16-3-755(D) (Supp. 2012). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Helms 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. Helms' educator 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. Helms of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Helms holds an initial South Carolina educator certificate and has one year of teaching experience. Mr. Helms was previously employed by the Charleston County School District (District) as a teacher at West Ashley High School (School). In March 2013, the District placed Mr. Helms on administrative leave during an investigation into allegations that Mr. Helms was involved in an inappropriate relationship of a sexual nature with a student at the School. On March 29, 2012, Charleston County detectives arrested Mr. Helms and charged him with one count of Sexual Battery With a Student, pursuant to S.C. Code Ann. § 16-3-755(D) (Supp. 2012). Mr. Helms has resigned from employment with the District.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Helms 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. Helms's educator 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. Helms of the summary suspension, as well as the possible suspension or revocation of his educator 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 includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2011). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If 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 the allegations of Mr. Helms's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and his arrest for Sexual Battery With A Student, S.C. Code Ann. § 16-3-755(B) (Supp. 2012), there is reason to believe that Mr. Helms may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Eric Thomas Helms, certificate 248841, 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. Helms of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education



By: _____

David W. Blackmon, Chair