BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or	)	
	)	
Suspension of the Educator Certificate of	)	**ORDER OF**
	)	
Michelle Stabach Jensen,	)	**SUMMARY SUSPENSION**
	)	
Certificate 261138	)	
_____	_____)	

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on November 16, 2012. 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 Michelle Stabach Jensen, certificate 261138, as a result of her being arrested on or about November 15, 2012, in Greenville, South Carolina, and being charged with Disseminating Obscene Material To Person Under Age Eighteen (two counts), S.C. Code Ann. § 16-15-345 (Supp. 2011) and Contributing To The Delinquency Of A Minor, (two counts), S. C. Code Ann § 16-17-490 (Supp. 2011) . The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Jensen may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Jensen'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 Ms. Jensen of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Jensen holds a professional South Carolina educator certificate and has almost five years of teaching experience. Ms. Jensen was previously employed by the Greenville County School District (District) as a science teacher at J. L. Mann High School (School). Ms. Jensen has resigned from the District.

Ms. Jensen was arrested on or about November 15, 2012, in Greenville, South Carolina, and charged with Disseminating Obscene Material To Person Under Age Eighteen (two counts), S.C. Code Ann. § 16-15-345 (Supp. 2011) and Contributing To The Delinquency Of A Minor, (two counts), S. C. Code Ann § 16-17-490 (Supp. 2011). It is alleged that Ms. Jensen sent obscene text messages and photographs of herself to a male student at the School. The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Jensen may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After

considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Jensen'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 Ms. Jensen of the summary suspension, as well as the possible suspension or revocation of her 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 Ms. Jensen's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and her arrest for Disseminating Obscene Material To Person Under Age Eighteen (two counts), S.C. Code Ann. § 16-15-345 (Supp. 2011) and Contributing To The Delinquency Of A Minor, (two counts), S. C. Code Ann § 16-17-490 (Supp. 2011), there is reason to believe that Ms. Jensen may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Michelle Stabach Jensen, certificate 261138, 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 Ms. Jensen 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: Dennis Thompson, Jr.

Dennis Thompson, Jr., Chair

Columbia, South Carolina
November 16, 2012