BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or	)	
	)	
Suspension of the Educator Certificate of	)	**ORDER OF**
	)	
Richard Jayson Jones,	)	**SUMMARY SUSPENSION**
	)	
Certificate 213174	)	
	)	

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on July 26, 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 Richard Jayson Jones, certificate 213174, as a result of his being arrested on July 19, 2012, in Chester County, South Carolina, and being charged with Criminal Sexual Conduct with a Minor 2nd degree, S.C. Code Ann. § 16-3-655(B) (Supp. 2011) and Lewd Act, Committing or Attempting Lewd Act Upon a Child Under Sixteen, S.C. Code Ann. § 16-15-140 (Supp. 2011). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Jones 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. Jones' 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. Jones of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Jones holds a professional South Carolina educator certificate and has nine years of teaching experience. Mr. Jones is employed by the Chester County School District One (District) as an Art teacher at Great Falls Elementary School. The District placed Mr. Jones on administrative leave, with pay, following the District's receipt of Mr. Jones' arrest.

Mr. Jones was arrested on July 19, 2012, in Chester County, South Carolina, and charged with Criminal Sexual Conduct with a Minor 2nd degree, S.C. Code Ann. § 16-3-655(B) (Supp.

2011) and Lewd Act, Committing or Attempting Lewd Act Upon a Child Under Sixteen, S.C. Code Ann. § 16-15-140 (Supp. 2011). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Jones 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. Jones'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. Jones 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. Jones' unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and his arrest for Criminal Sexual Conduct with a Minor 2nd degree, S.C. Code Ann. § 16-3-655(B) (Supp. 2011) and Lewd Act, Committing or Attempting Lewd Act Upon a Child Under Sixteen, S.C. Code Ann. § 16-15-140 (Supp. 2011), there is reason to believe that Mr. Jones may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Richard Jayson Jones, certificate 213174, 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. Jones 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.

Columbia, South Carolina

July 26, 2012