

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Surrender of the Educator)
Certificate of Jabari Patton)
Certificate 904992)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 8, 2013. On March 15, 2013, the South Carolina Department of Education (SCDE) received information that Jabari Patton had been arrested on criminal charges on June 13, 2012. SCDE legal counsel contacted Mr. Patton's counsel to inquire whether Mr. Patton agreed to waive his right to a hearing and permanently surrender his South Carolina educator certificate 904992. On March 22, 2013, Mr. Patton's counsel informed the SCDE that Mr. Patton had agreed to waive his right to a hearing and had agreed to enter into this Consent Order of Permanent Voluntary Surrender. After considering the evidence presented, the State Board voted to accept the permanent voluntary surrender of Mr. Patton's educator certificate 904992.

FINDINGS OF FACT

Mr. Patton holds a professional educator certificate and has five years of teaching experience. Mr. Patton was previously employed by York School District 1 (District) as a Brick Masonry teacher and the head basketball coach at York Comprehensive High School (School) until he resigned on May 17, 2012.

On March 15, 2013, the SCDE received information that Mr. Patton had been arrested on June 13, 2012, and charged with Sexual Battery with a Student pursuant to S.C. Code Ann. § 16-3-755(B), (Supp. 2012), following an investigation into allegations that Mr. Patton may have been involved in sexual activity with a female student at the School while he was employed by the District. On May 17, 2012, Mr. Patton admitted the allegations to District administration and resigned from his employment.

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On March 15, 2013, the SCDE received information that Mr. Patton had been arrested on June 13, 2012, and charged with Sexual Battery with a Student pursuant to S.C. Code Ann. § 16-3-755(B), (Supp. 2012). SCDE legal counsel contacted Mr. Patton's counsel to inquire whether Mr. Patton agreed to waive his right to a hearing and permanently surrender his South Carolina educator certificate 904992. On March 22, 2013, Mr. Patton's counsel informed the SCDE that Mr. Patton left the education profession in May 2012 and that he had agreed to waive his right to a hearing and enter into this Consent Order of Permanent Voluntary Surrender.

Mr. Patton has acknowledged that he has engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and has demonstrated evident unfitness for teaching as a result of his sexual activity with a student at the School.

Mr. Patton agrees to the permanent surrender of his South Carolina educator certificate 904992 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 the Consent Order of Voluntary Surrender; (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; and (3) he understands that the permanent surrender and permanent revocation of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse.

CONCLUSIONS OF LAW

The State Board has jurisdiction of this matter pursuant to S.C. Code Ann. § 59-25-150 (2004). "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, immorality, conduct involving moral turpitude and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 2 S.C. Code Regs 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Patton engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and demonstrated evident unfitness for position for which employed as a result of his sexual activity with a student. The evidence presented supports the State Board's decision to

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accept the permanent voluntary surrender of educator certificate 904992, issued under the name of Jabari Patton, and to permanently revoke and render permanently invalid Mr. Patton's educator certificate effective May 8, 2013.

Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of Jabari Patton, certificate 904992, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and permanent revocation of the educator certificate of Jabari Patton, certificate 904992 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: David W. Blackmon
David W. Blackmon, Ph.D., Chair

Columbia, South Carolina
May 8, 2013

I, Jabari Patton, S.C. Educator Certificate 904992, 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 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, band 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, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on May 8, 2013.

J. Ali Patton
Jabari Patton

Date 4/29/13