BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate	)	**ORDER OF SUSPENSION**
	)	**(Failure to meet ADEPT Requirements)**
of Nicole JaNay Perez	)	
	)	
Certificate 236125	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 13, 2011. On September 12, 2011, the South Carolina Department of Education's (SCDE) Office of Educator Evaluation sent Ms. Nicole JaNay Perez notice of her failure to meet the requirements of her ADEPT formal evaluation for the second time via certified mail.

On September 14, 2011, Ms. Perez received the notice as evidenced by a return receipt bearing her signature. Pursuant to 24 S.C. Reg. 43-58 (Supp. 2010), 24 S.C. Reg. 43-205.1 (Supp. 2010), and the ADEPT System Guidelines (2006), a second unsuccessful ADEPT formal evaluation at the annual-contract level requires that Ms. Perez's South Carolina teaching certificate be automatically suspended for a minimum of two years. After considering the information presented by the SCDE, the State Board voted to suspend Ms. Perez's certificate for a minimum of two years, beginning October 13, 2011, and ending October 12, 2013.

FINDINGS OF FACT

Ms. Perez holds an initial South Carolina educator certificate and has over three years of teaching experience. The Lexington County School District Four's annual ADEPT report to the Office of Educator Evaluation indicated that Ms. Perez was unsuccessful in meeting the requirements of her ADEPT formal evaluation for the 2010-2011 school year. This was Ms. Perez's second unsuccessful ADEPT evaluation at the annual-contract level.

On September 12 2011, the SCDE's Office of Educator Evaluation sent Ms. Perez notice of her failure to meet the requirements of her ADEPT formal evaluation for the second time via certified mail.

On September 14, 2011, Ms. Perez received the notice as evidenced by a return receipt bearing her signature.

CONCLUSIONS OF LAW

The State Board will automatically suspend for a minimum of two years the certificate of an annual-contract teacher who for the second time fails to meet ADEPT formal evaluation criteria. S.C. Code Ann. § 59-5-60 (2004); 24 S.C. Reg. 43-58 (Supp. 2010), 24 S.C. Reg. 43-205.1 (Supp. 2010). The State Board finds that sufficient information has been presented supporting its conclusion that Ms. Perez failed to meet ADEPT formal evaluation criteria for a second time, warranting the suspension of her certificate for a minimum period of two years, commencing on October 13, 2011, through October 12, 2013. An "ineligible for hire" indicator will be placed in Ms. Perez's certification file with the Office of Educator Certification and will not be removed prior to October 12, 2013.

Before reentry into the profession and removal of the suspension, Ms. Perez must complete a state-approved remediation plan based on the areas that were identified as deficiencies during the formal evaluation process. Remediation plans must be developed and implemented in accordance with the State Board's ADEPT implementation guidelines. Following the minimum two-year suspension period and the completion of the remediation plan, as verified by the Office of Educator Evaluation, Ms. Perez's certificate suspension will be lifted and Ms. Perez will be eligible for employment at the annual-contract level. All fees and eligibility requirements that are in effect at the time of Ms. Perez's reapplication will apply.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: Gerrita Postlewait

Gerrita Postlewait, Chair

Columbia, South Carolina

October 13, 2011