

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator)
)
Certificate of Thomas L. Myers)
)
Certificate 190608)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

This matter comes before the South Carolina State Board of Education (hereinafter "State Board") on March 11, 2015. On January 30, 2015, the South Carolina Department of Education (hereinafter "SCDE") sent a notice letter of the possible suspension or revocation of South Carolina educator certificate 190608 to Mr. Thomas L. Myers by certified mail, return receipt requested, based on the grounds of unprofessional conduct. After Mr. Myers received the notice letter, his legal counsel contacted the SCDE and requested a hearing in this matter. Prior to the scheduling of a hearing, Mr. Myers' legal counsel informed SCDE that Mr. Myers agreed to waive his right to a hearing and enter into this Consent Order of Suspension of his educator certificate for a period of one year beginning March 11, 2015, and ending March 10, 2016. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension and suspend the educator certificate of Mr. Myers for a period of one year from the date of this Order.

Thomas L.
Myers
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FINDINGS OF FACT

Mr. Myers holds a valid South Carolina professional educator certificate and has over 15 years of teaching experience. He has no prior record of disciplinary action with the State Board. The Spartanburg County School District Seven (hereinafter "District")

had employed Mr. Myers as a social studies teacher and head baseball coach at Spartanburg High School (hereinafter "School") since August 9, 2004.

On July 24, 2014, Mr. Myers was placed on administrative leave following allegations that Mr. Myers may have been diverting funds from the school. It was alleged that Mr. Myers had rented the District's Duncan Park baseball facilities without authorization or consent from the District. The District subsequently determined that Mr. Myers received funds from some third parties for the use of the Duncan Park baseball facilities which he did not report or transmit to the District and that Mr. Myers was not authorized to collect these funds. Mr. Myers voluntarily resigned from the District, effective September 19, 2014.

The District notified law enforcement concerning this matter. On September 5, 2014, Mr. Myers was arrested for Embezzlement of Public Funds, of more than ten thousand dollars, pursuant to S.C. Code Ann. § 16-13-210 (2003). On December 15, 2014, Mr. Myers pled guilty to a lesser charge of Obtaining Property by False Pretenses, less than two thousand dollars, pursuant to S.C. Code Ann. § 16-13-240 (2003).

After considering the evidence presented, the State Board voted to accept this Consent Order of Suspension, effective on March 11, 2015.

CONCLUSIONS OF LAW

The State Board, upon careful review of the evidence presented, makes the following conclusions of law in this matter:

- (1) The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004), which provides "The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person."

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(2) Just cause is statutorily defined to include “dishonesty” and “unprofessional conduct.” S.C. Code Ann. § 59-25-160(4) (2004).

(3) The evidence demonstrates that Mr. Myers engaged in dishonesty and unprofessional conduct through his mishandling of funds that were rightfully school property.

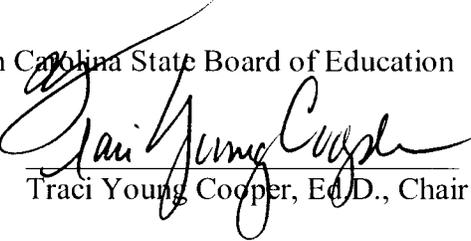
(4) The evidence presented supports the State Board’s decision to approve the suspension of the educator certificate of Thomas L. Myers, certificate 190608, for a period of one year beginning March 11, 2015, and ending March 10, 2016.

NOW, THEREFORE, it is ordered that the State Board approves the Consent Order of Suspension and the educator certificate of Thomas L. Myers, certificate 190608, is hereby suspended for a period of one year, beginning March 11, 2015, and ending March 10, 2016. This action on certificate 190608 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order. If Mr. Myers wishes to have his educator certificate reinstated at the end of the suspension period, he must meet all current certification requirements and shall submit a written request to the SCDE’s Office of Educator Services. Mr. Myers shall be responsible for the payment of all applicable fees, including any reinstatement fees.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By:


Traci Young Cooper, Ed.D., Chair

Columbia, South Carolina
March 11, 2015

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I, Thomas L. Myers, S.C. Educator Certificate 190608, hereby waive my right to a hearing in this matter. With the assistance of legal counsel, I have read and understood the terms set forth in this Consent Order of Suspension. I agree that the findings of facts and conclusions of law contained in this Consent Order Suspension are true. I understand that the terms of this Consent Order of Suspension, upon execution, are not subject to reconsideration, collateral attack or judicial review. I hereby freely, knowingly and of my own accord, agree to the suspension of my educator certificate for a period of one year by the South Carolina State Board of Education. I understand that this Order will be presented to the State Board on March 11, 2015.



Thomas L. Myers

2-28-15
Date