

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the

Disciplinary Action of the

Educator Certificate of

Jessica Ann Zajac McCoy

Certificate 235089

CONSENT ORDER OF PUBLIC REPRIMAND

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 13, 2019. On April 30, 2019, the South Carolina Department of Education (SCDE) sent Amanda Justice Loudermilk a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against his educator certificate. After receiving the notice letter, Ms. Loudermilk contacted the SCDE and advised that she desired to waive her right to a hearing and wished to pursue an alternative resolution in this matter. Ms. Loudermilk has agreed to this Consent Order of Public Reprimand. Ms. Loudermilk further agrees to successfully complete the NASDTEC prevention and correction course within 6 months of the date of this order. After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand.

FINDINGS OF FACT

Ms. Loudermilk holds a valid South Carolina professional educator certificate and has over eleven years of educator experience. She has no prior record of disciplinary action with the State Board. At the time of the incident, Ms. Loudermilk was employed by Spartanburg School District Five (District) as a teacher at James F. Byrnes High School (School).

On March 25, 2018, the District reported Ms. Loudermilk to the SCDE for allegations she engaged in unsanctioned communications with students and was insubordinate by continuing to participate in those communications after being instructed not to do so. In 2009, Ms. Loudermilk was counseled by School administrators regarding the District's Electronic Communication Policy after it was alleged she was

communicating with students through text message and social media websites. Ms. Loudermilk was warned not to have any unsanctioned contact with students, either in person or through social media, and that failure to comply could result in her termination from the District. In 2019, School administrators were informed by a Student that he had communicated with Ms. Loudermilk through the application Snapchat. Ms. Loudermilk subsequently resigned her employment with the District, effective at the end of the 2018-2019 school year.

Ms. Loudermilk has agreed to waive her right to a hearing and to resolve this disciplinary matter by entering into this Consent Order of Public Reprimand, subject to the following terms: (1) a Public Reprimand shall be issued by the State Board, (2) the Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order, and (3) the Consent Order of Public Reprimand shall be posted on the SCDE's website and shall be maintained as a public record in the SCDE's Office of General Counsel. Ms. Loudermilk also agrees to successfully complete the NASTEC prevention and correction course within six months. After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand with the terms set forth above.

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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2017); 24 S.C. Code Regs. 43-58 (2017). The State Board finds that the evidence presented by the District would not support a conclusion that just cause exists to suspend or revoke the educator certificate of Amanda Justice Loudermilk; however, the evidence that would be presented would support a conclusion that Ms. Loudermilk engaged in unprofessional conduct as result of communicating with students through text messaging and social media after being counseled by School administration not to do so. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Ms.

Loudermilk by the State Board. Ms. Loudermilk is required to successfully complete the NASDTEX prevention and correction course within the next six months.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Amanda Justice Loudermilk, certificate 235089. The Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the grounds listed as “unprofessional conduct.” This Consent Order of Public Reprimand shall be posted on the SCDE’s web site and shall be maintained as a public record in the SCDE’s Office of General Counsel.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Del-Gratia Jones
Del-Gratia Jones, Chair

Columbia, South Carolina
August 13, 2019

I, Amanda Justice Loudermilk, S.C. Educator Certificate 235809, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree to successfully complete the NASDTEC prevention and correction course within the next six months. I understand that the terms set forth in this Consent Order of Public Reprimand are not subject to reconsideration, collateral attack or judicial review. I have read the Consent Order of Public Reprimand, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented to the South Carolina State Board of Education for approval on Tuesday, August 13, 2019. I understand this Consent Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of “/S/ name” for required website publication.

s/ Amanda Justice Loudermilk
Amanda Justice Loudermilk

7/18/19
Date