

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Jennifer L. Henderson
Certificate 212219

CONSENT ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 10, 2019. On September 15, 2017, the South Carolina Department of Education (SCDE) sent Jennifer L. Henderson a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against her educator certificate. After receiving the notice letter, Ms. Henderson's counsel 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. Henderson has agreed to this Consent Order of Suspension. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Ms. Henderson's educator certificate for a period of one year, commencing on September 10, 2019, and ending on September 8, 2020. Ms. Henderson will be required to attend SCDE approved anger management and classroom management training before reinstatement of her educator certification.

FINDINGS OF FACT

Ms. Henderson holds a valid South Carolina professional educator certificate and has over fourteen years of educator experience. She has no prior record of disciplinary action with the State Board. At the time of the incident, Ms. Henderson was employed by the Greenville County School District (District) as a special education teacher at Lake Forest Elementary School (School).

On May 5, 2017, a staff member in a neighboring classroom asked Ms. Henderson for assistance with a student who was repeatedly using racial slurs and arguing in class. It was alleged that Ms. Henderson yelled at the student and flipped the student's desk.

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Ms. Henderson denied this account of this incident. However, an investigation into the incident brought up new allegations concerning Ms. Henderson's disciplinary history with students. It was alleged she forced students to hold their arms up and out to the side for extended periods of time or hold dictionaries in each hand out to their side. Another student alleged Ms. Henderson hit students with a belt and informed School administration where the belt was kept in Ms. Henderson's classroom. Two belts were located in Ms. Henderson's room. Ms. Henderson stated these belts were made available for students to comply with the dress code and continued to deny the other allegations.

Ms. Henderson has agreed to waive her right to a hearing and to resolve this disciplinary matter by entering into an alternate resolution to the action against her educator certificate. Further, she has agreed to attend SCDE approved anger management and classroom management training prior to the reinstatement of her educator certification. After considering the evidence presented, the State Board voted to accept the Consent Order of Ms. Henderson's educator certificate for a period of one year, commencing on September 10, 2019, and ending on September 8, 2020. Ms. Henderson will complete SCDE approved anger management and classroom management training prior to reinstatement of her educator certificate.

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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 demonstrates that Ms. Henderson engaged in unprofessional conduct by using inappropriate disciplinary actions on students. The State Board further finds that just cause exists for the suspension of Ms. Henderson’s educator certificate for a period of one year, commencing on September 10, 2019, and ending on September 8, 2020. Ms. Henderson will also be required to attend SCDE approved anger management and classroom management training prior to requesting reinstatement of her educator certification.

Now, therefore, it is ordered that the educator certificate of Jennifer L. Henderson, certificate 212219, is suspended for a period of one year, commencing on September 10, 2019, and ending on September 8, 2020. Ms. Henderson is required to complete SCDE approved anger management and classroom management training prior to the reinstatement of her educator certification.

If Ms. Henderson wishes to have her certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE’s Office of Educator Services and submit proof of completion for the SCDE approved anger management and classroom management training. Ms. Henderson shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Ms. Henderson’s educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

s/ Michael Brenan
Michael Brenan, Chair-Elect

Columbia, South Carolina
September 10, 2019

I, Jennifer L. Henderson, S.C. Educator Certificate 212219, 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 understand that the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I have read the Consent Order of Suspension, consisting of four 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, September 10, 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/ Jennifer Henderson
Jennifer L. Henderson

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