

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Jack Garland Dailey,)
)
Certificate 274107)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on January 8, 2019. On October 26, 2018, the West Virginia educator certification for Jack Garland Dailey was permanently revoked. On October 31, 2018, the Chair of the State Board summarily suspended Mr. Dailey's South Carolina educator certificate. On October 31, 2018, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Mr. Dailey regarding the possible suspension or revocation of his South Carolina educator certificate. Mr. Dailey received the notice on November 7, 2018, as evidenced by the signed postal receipt, and did not request a hearing or contest the summary suspension order. Mr. Dailey was given final notice of the possible suspension or revocation of his South Carolina educator certification on November 29, 2018. SCDE has verified Mr. Dailey's address and the letters sent via regular mail have not been returned. Mr. Dailey declined to sign for the final notice letter sent by certified mail, return receipt requested, delivery restricted to addressee. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Dailey has been given fair notice of constitutional due process. Mr. Dailey has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented, the State Board voted to permanently revoke Mr. Dailey's educator certificate 274107, effective January 8, 2019.

FINDINGS OF FACT

Mr. Dailey holds a suspended professional South Carolina educator certificate and has over nineteen years of teaching experience. Mr. Dailey was employed by the Charleston County School District (District) at the time of his summary suspension. He was placed on administrative leave on October 8, 2018, after the District learned of concerns in West Virginia.

On October 26, 2018, the West Virginia Department of Education (WVDE) permanently revoked Mr. Dailey's educator certification in that state. It was alleged Mr. Dailey engaged in an inappropriate relationship with a student in West Virginia. A hearing was held in West Virginia

and the student victim testified under oath. Though notified, Mr. Dailey did not attend the hearing. The WVDE found that Mr. Dailey failed to maintain professional boundaries with a student, including engagement in grooming behavior and sexual contact. Further, the WVDE found that Mr. Dailey falsified documentation in an employment application for their agency.

In accordance with S.C. Code Ann. § 1-23-370(C) (2017) and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend Mr. Dailey's educator certificate as a result of the permanent revocation of his West Virginia educator certification. On October 31, 2018, the Chair of the State Board summarily suspended Mr. Dailey's educator certificate.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Dailey's educator certificate 274107, effective January 8, 2019.

CONCLUSIONS OF LAW

"The State Board may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016). Just cause includes "unprofessional conduct, conduct involving moral turpitude, immorality, and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). The State Board finds that Mr. Dailey engaged in unprofessional conduct, conduct involving moral turpitude, immorality, and evident unfitness for position for which employed, due to the permanent revocation of his West Virginia educator certification on the allegations of an inappropriate relationship with a student and dishonesty on an employment application.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 274107, issued in the name of Jack Garland Dailey, effective January 8, 2019. The permanent revocation of Mr. Dailey's educator certificate 274107 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: 
Del-Gratia Jones, Chair

Columbia, South Carolina
January 8, 2019