

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 271590

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 Jessica Ann Zajac McCoy 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. McCoy 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. McCoy has agreed to this Consent Order of Public Reprimand. After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand.

FINDINGS OF FACT

Ms. McCoy holds a valid South Carolina professional educator certificate and has over eight years of educator experience. She has no prior record of disciplinary action with the State Board. At the time of the incident, Ms. McCoy was employed by the Horry School District (District) as a teacher at Loris High School (School).

On March 7, 2019, Ms. McCoy was arrested at the School after an open alcoholic beverage was found in her desk. Specifically, School administrators discovered an open can of beer in Ms. McCoy's desk, as well as various other unopened containers of alcohol in her bag. On March 8, 2019, Ms. McCoy was placed on administrative leave, effective March 7, 2019. In the months following her arrest, Ms. McCoy has sought and obtained help for alcohol abuse. In statements to the SCDE, Ms. McCoy communicated her remorse

about the incident, which she attributed to her alcohol addiction, and expressed her hope that she would be allowed to return to teaching.

Ms. McCoy 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. 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 Jessica Ann Zajac McCoy; however, the evidence that would be presented would support a conclusion that Ms. McCoy engaged in unprofessional conduct as result of possessing and consuming alcohol on school grounds during school hours. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Ms. McCoy by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Jessica Ann Zajac McCoy, certificate 271590. The Public Reprimand shall be

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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, Jessica Ann Zajac McCoy, S.C. Educator Certificate 271590, 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 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/Jessica Ann Zajac McCoy
Jessica Ann Zajac McCoy

7/17/19
Date