

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of Suspension)
)
of the Educator Certificate of)
)
Paul Russell Clayton,)
)
Certificate 258815)
_____)

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered the matter on April 9, 2019. On February 1, 2019, the South Carolina Department of Education (SCDE) sent a notice letter to Mr. Clayton, informing him that the State Board would meet to make a determination regarding the possible disciplinary action of his educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Clayton received the certified mail on February 12, 2019, as evidenced by the signed postal receipt. Mr. Clayton has not requested a hearing in this matter and is now in default. After considering the evidence presented, the State Board voted to suspend Mr. Clayton's educator certificate for a period of one year, commencing on March 12, 2019, and ending on March 11, 2020. Mr. Clayton is also instructed to complete the Prevention and Correction course offered by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

FINDINGS OF FACT

Mr. Clayton holds a valid South Carolina initial educator certificate and has less than one year of teaching experience. Lexington/Richland School District Five (District) employed Mr. Clayton as a music teacher and band director at Dutch Fork High School (School).

On August 29, 2018, the District informed the SCDE that Mr. Clayton had resigned from his employment after an investigation into allegations of failure to report an incident of sexual activity between students at the School. Further, it was discovered Mr. Clayton was dishonest during the investigation. At approximately the same time, the District received another allegation stating Mr. Clayton had thrown away information concerning college scholarship opportunities earned by several students who participated in Region and All-State Bands. The college offering the scholarship regularly sent the student information packets to the band director, who then gave the packets to the students. Mr. Clayton allegedly did hand out some of the packets, but admitted

to throwing away others. Parents informed the college of the issue and were provided new information packets from the college itself. When confronted with the allegations and his dishonesty during the investigation, Mr. Clayton chose to resign from the District.

After considering the evidence presented, the State Board voted to suspend Mr. Clayton's educator certificate for a period of one year, commencing on March 12, 2019, and ending on March 11, 2020. Mr. Clayton is also instructed to complete the NASDTEC course on Prevention and Correction.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016). The State Board finds that the evidence presented demonstrates that Mr. Clayton engaged in unprofessional conduct as a result of his failure to report an incident of sexual activity on School grounds, dishonesty, and willful neglect of duty by denying students important scholarship information that was sent to them. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Paul Russell Clayton, Educator Certificate 258815, for a period of one year, commencing on March 12, 2019, and ending on March 11, 2020. Mr. Clayton is also instructed to complete the NASDTEC course on Prevention and Correction.

If Mr. Clayton wishes to have his educator certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator Services and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Clayton shall also submit documentation for the completion of the NASDTEC course on Prevention and Correction, and be responsible for the payment of the applicable reinstatement fee. The suspension of Mr. Clayton's Educator Certificate 258815 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.

(Signature page attached.)

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South Carolina State Board of Education

By: 
Del-Gratia Jones, Chair

Columbia, South Carolina
March 12, 2019