

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator)
)
Certificate of Nicholas Ray Hawkins)
)
Certificate 239984)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 11, 2013. On August 2, 2013, the South Carolina Department of Education (SCDE) sent notice to Nicholas Ray Hawkins of the possible suspension or revocation of his educator certificate by regular and certified mail, return receipt requested. On August 15, 2013, Mr. Hawkins' attorney contacted the SCDE and requested a hearing on behalf of his client. Prior to the hearing, Mr. Hawkins' attorney informed the SCDE that Mr. Hawkins had agreed to waive his right to a hearing in this matter and accept a one year period of suspension of his educator certificate, commencing on December 11, 2013, and ending on December 10, 2014. After considering the information presented by the SCDE, the State Board voted to suspend Mr. Hawkins' educator certificate for a period of one year, commencing on December 11, 2013, and ending on December 10, 2014.

Accepted: <u>NRH</u> Initial Here
<u>12-4-13</u> Date
Nicholas Ray Hawkins 239984

FINDINGS OF FACT

Mr. Hawkins holds a professional educator certificate and has over four years of teaching experience. Mr. Hawkins was employed by the Anderson County School District One (District) for the 2012-2013 school year as a band and chorus teacher at Powdersville Middle School (School). Mr. Hawkins also served as the Assistant Band Director with the Powdersville High School marching band. Mr. Hawkins resigned from

his employment, effective April 10, 2013, following an investigation into allegations involving inappropriate remarks of a sexual nature made by Mr. Hawkins in the presence of adults and students. In lieu of a hearing regarding this unprofessional conduct, Mr. Hawkins consents to a suspension of his certificate for a period of one year.

On August 2, 2013, the SCDE sent notice to Mr. Hawkins of the possible suspension or revocation of his educator certificate by regular and certified mail, return receipt requested. On August 15, 2013, Mr. Hawkins' attorney contacted the SCDE and requested a hearing on behalf of his client. Prior to the hearing, Mr. Hawkins' attorney informed the SCDE that Mr. Hawkins had agreed to waive his right to a hearing in this matter and accept a one year period of suspension of his educator certificate, commencing on December 11, 2013, and ending on December 10, 2014. After considering the information presented by the SCDE, the State Board voted to suspend Mr. Hawkins's educator certificate for a period of one year, commencing on December 11, 2013, and ending on December 10, 2014.

CONCLUSIONS OF LAW

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004). "The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004). Just cause includes "unprofessional conduct". S.C. Code Ann. § 59-25-160 (2004) 24 S.C. Code Ann. Regs. 43-58 (2011). The State Board finds that the evidence presented demonstrates that Mr. Hawkins engaged in unprofessional conduct involving inappropriate remarks of a sexual nature made by Mr. Hawkins in the presence of adults and students, and that just cause exists to suspend Mr. Hawkins'

Accepted:

NRH

Initial Here

12-4-13

Date

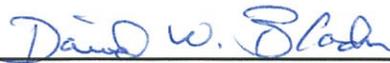
Nicholas
Ray
Hawkins
239984

educator certificate for a period of one year, commencing on December 11, 2013, and ending on October 8, 2014.

Now, therefore, it is ordered that the educator certificate of Nicholas Ray Hawkins, certificate 239984, is hereby suspended for a period of one year, commencing on December 11, 2013, and ending on December 10, 2014. During the suspension period, Mr. Hawkins agrees not to be employed or to volunteer, in any capacity, in any school district in the State of South Carolina. If Mr. Hawkins wishes to have his educator certificate reinstated at the end of the suspension period, he must meet all certification requirements and shall submit a written request to the SCDE's Office of Educator Services. Mr. Hawkins shall be responsible for the payment of all applicable fees, including any reinstatement fees. The suspension of Mr. Hawkins' educator certificate 239984 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

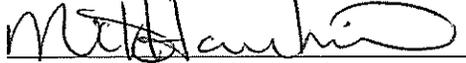
By: 
David W. Blackmon, Chair

Columbia, South Carolina
December 11, 2013

I, Nicholas Ray Hawkins, S.C. Educator Certificate 239984, understand that there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I hereby freely, knowingly and voluntarily enter into this Consent Order of Suspension. I agree that during the suspension period, I will not serve as a volunteer or be employed in any capacity, as an educator, paraprofessional, aide, substitute

Hawkins, Nicholas Ray
Consent Order of Suspension
December 11, 2013
Page 4

teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the terms of the Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board of Education on December 11, 2013.



Nicholas Ray Hawkins

12-4-13
Date