BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary Surrender of the Educator Certificate of Jonathan K. Richardson Certificate 224595	)	**CONSENT ORDER OF SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 10, 2012. On June 2, 2011, the South Carolina Department of Education (SCDE) sent notice to Jonathan K. Richardson of his right to a hearing before the State Board concerning an incident that occurred on February 3, 2011, by certified mail, return receipt, restricted delivery and regular mail. On June 11, 2011, Mr. Richardson received the notice as evidenced by a postal receipt bearing his signature. On June 29, 2011, the SCDE received a request by Mr. Richardson for a hearing concerning this matter. Prior to scheduling a hearing, the SCDE learned that Mr. Richardson had been arrested on February 22, 2012. On May 22, 2012, the SCDE sent a second notice letter to Mr. Richardson regarding this arrest, by certified mail, return receipt, restricted delivery and regular mail. On June 14, 2012, Mr. Richardson requested a private hearing regarding this matter. On September 24, 2012, SCDE sent Mr. Richardson a notice of hearing.

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On October 4, 2012, Mr. Richardson contacted the SCDE and informed the SCDE that he desired to waive his right to a hearing and enter into this Consent Order of Suspension (Consent Order). After considering the evidence presented, the State Board voted to accept the suspension of Mr. Richardson's educator certificate for a period of two years commencing on October 10, 2012, and ending on October 9, 2014.

FINDINGS OF FACT

Mr. Richardson holds a professional educator certificate and has over five years of teaching experience. He has no prior record of disciplinary action with the State Board. He was previously employed as a teacher for the Darlington County School District (District) at the Darlington County Intervention School (School) for the 2010-

2011 school year. Mr. Richardson had been selected by the School staff and students as the School Teacher of the Year for the 2010-2011 school year. On February 3, 2011, the District placed Mr. Richardson on administrative leave, with pay, following an investigation into allegations that Mr. Richardson had threatened the principal in a telephone conversation with a District staff member and disrupted school operations on that date. On February 21, 2012, the Darlington County Sheriff's Office arrested Mr. Richardson and charged him with Threatening a Public Employee pursuant to S.C. Code Ann. § 16-3-1040 (Rev. 2003). Effective March 1, 2011, Mr. Richardson resigned from his employment with the District.

On June 2, 2011, the SCDE sent notice to Mr. Richardson of his right to a hearing before the State Board concerning this matter by certified mail, return receipt, restricted delivery and regular mail. On June 11, 2011, Mr. Richardson received the notice as evidenced by a postal receipt bearing his signature. On June 29, 2011, the SCDE received a request by Mr. Richardson for a hearing concerning this matter. Prior to scheduling the hearing, the SCDE learned that Mr. Richardson had been arrested on February 21, 2012, and charged with Resisting Arrest/Assaulting Officer Engaged in Serving Process pursuant to S.C. Code Ann. § 16-9-320 (Rev. 2003) .

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On May 9, 2012, Mr. Richardson pled guilty in the Court of General Sessions, in Darlington County, South Carolina, to Threatening Life, Person or Family of Public Employee, S.C. Code § Ann. 16-3-1040 (B) (Rev. 2003) and Opposing or Resisting Law Enforcement Officer Serving Process; Assaulting Officer Engaged in Serving Process, S.C. Code § Ann. 16-9-320 (B) (Rev. 2003).

On May 22, 2012, the SCDE sent a second notice letter to Mr. Richardson by certified mail, return receipt, restricted delivery and regular mail. On June 14, 2012, Mr. Richardson informed the SCDE that he wished to have a private hearing regarding this matter. On September 24, 2012, SCDE sent Mr. Richardson a notice of hearing. On October 4, 2012, Mr. Richardson contacted the SCDE and informed the SCDE that he desired to waive his right to a hearing and enter into this Consent Order.

Mr. Richardson acknowledges that he engaged in unprofessional conduct and committed crimes against the law of this state. He consents to the suspension of his

educator certificate for a period of two years and plants to return to teaching upon the conclusion of the suspension period and the reinstatement of his educator certificate.

Mr. Richardson agrees to the voluntary suspension of his South Carolina educator certificate 224595 commencing on October 10, 2012, and ending on October 9, 2014, subject to the following conditions: (1) Mr. Richardson agrees to participate in alcohol counseling; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he agrees to not be employed or to volunteer, in any capacity, in any school district in South Carolina, with the exception of his duties as a parent. The suspension of Mr. Richardson's educator certificate shall be reported to all school districts in South Carolina and the NASDTEC Clearinghouse within thirty days of this order with the reasons stated as "unprofessional conduct and crimes against the law of this state."

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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 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes: "Unprofessional conduct and crimes against the law of this state." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs 43-58 (2011). The State Board finds that the evidence presented, which is undisputed by Mr. Richardson, demonstrates that Mr. Richardson engaged in unprofessional conduct and committed crimes against the law of this state as a result of his guilty pleas in Darlington County to one count of Threatening Life, Person or Family of Public Employee pursuant to S.C. Code Ann. § 16-3-1040 (B) (Rev. 2003) and one count to Opposing or Resisting Law Enforcement Officer Serving Process; Assaulting Officer Engaged in Serving Process pursuant to S.C. Code § Ann. 16-9-320 (B) (Rev. 2003).

The evidence presented supports the State Board's decision to accept the Consent Order and suspend the educator certificate of Jonathan K. Richardson, certificate 224595, for a period of two years, effective October 10, 2012, and ending on October 9, 2014.

Now, therefore, it is ordered that the State Board accepts the Consent Order and the educator certificate of Jonathan K. Richardson, certificate 224595, is hereby suspended. The Consent Order of the educator certificate of Jonathan K. Richardson,

certificate 224595 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct and crimes against the law of this state."

When Mr. Richardson desires to have his educator certificate reinstated at the conclusion of the suspension period, he shall make a written request to the SCDE's Office of Educator Certification, Recruitment and Preparation. Mr. Richardson shall present SCDE with documentation of successful completion of counseling, participation in AA, and negative drug screens during the suspension period. Mr. Richardson shall also meet all certification requirements in effect at the time he requests reinstatement and shall be responsible for the payment of all applicable reinstatement fees.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: _____
Dennis Thompson, Jr., Chair

Columbia, South Carolina
October 10, 2012

I, Jonathan K. Richardson, S.C. Educator Certificate 224595, understand 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 understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; I hereby freely, knowingly and agree to the suspension my educator certificate to the South Carolina State Board of Education. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina, except in any capacities as a parent. I agree to the proposed Consent Order, consisting of four pages, and understand that this Order will be presented to the State Board on October 10, 2012.

_____ 10/5/12
Jonathan K. Richardson Date