**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

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| In the Matter of the Revocation or Suspension of the Educator Certificate of Anna Marie Rogers, Certificate 248947 | ) | **ORDER OF SUMMARY SUSPENSION** |

## SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on April 18, 2013. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of Anna Marie Rogers, certificate 248947, as a result of her being arrested on or about April 3, 2013, in Horry County, South Carolina, and being charged with Unlawful Conduct Towards A Child, pursuant to S.C. Code Ann. § 63-5-70 (2010). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Rogers may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Rogers' educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Rogers of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

## FINDINGS OF FACT

Ms. Rogers holds a professional South Carolina educator certificate and has five years of teaching experience. Ms. Rogers is currently employed by the Horry County School District (District) as an early childhood special education teacher at Forest Book Elementary School (School). On March 14, 2013, the District placed Ms. Rogers on administrative leave, with pay, during a Police investigation into allegations that Ms. Rogers was involved in the unlawful conduct toward a child at the School. On April 3, 2013, the Horry County Police Department

arrested Ms. Rogers and charged her with Unlawful Conduct Towards A Child, pursuant to S.C. Code Ann. § 63-5-70 (2010).

According to the arrest warrant, Ms. Rogers allegedly, along with a teacher's aide, engaged in a course of conduct committed against a five year old special needs child by physical and emotional abuse, including locking the child in a dark room, forcing him to pray and then mocking his religion, using a small bathroom as "an office" and administering psychological as well as corporal punishment, and encouraging other children to bully the victim.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Rogers may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Rogers' educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Rogers of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

**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 (2004). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2011). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann § 59-5-10 (2004) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Ms. Rogers' unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and her arrest for Unlawful Conduct Towards A Child, S.C. Code Ann. § 63-5-70 (2010), there is reason to believe that Ms. Rogers may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Anna Marie Rogers, certificate 248947, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms.

Rogers of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

**AND IT IS SO ORDERED.**

South Carolina State Board of Education

David W. Blackmon

By: _____

David W. Blackmon, Chair

Columbia, South Carolina

April 18, 2013