

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Elizabeth Marie Moss,)
)
Certificate 232269)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on April 8, 2015. On February 19, 2014, the Sumter County Sheriff's Department arrested Ms. Elizabeth Marie Moss and charged her with criminal sexual conduct with a minor, second degree, pursuant to S.C. Code Ann. § 16-3-655(B)(1) (Cum. Supp.) as a result of allegations that she engaged in sexual conduct with a male minor (age 13) who was a student at the School. Ms. Moss was also subsequently charged with contributing to the delinquency of a minor pursuant to S.C. Code Ann. § 16-17-490 (Rev. 2003); assault and battery, second degree, pursuant to S.C. Code Ann. § 16-3-600(D) (1) (Cum. Supp. 2013); and criminal solicitation of a minor pursuant to S.C. Code Ann. § 16-15-342 (Cum. Supp. 2013) as a result of allegations of her inappropriate conduct with male minor students at Chestnut Oaks Middle School. On February 24, 2014, the Chair of the State Board summarily suspended Ms. Moss' educator certificate. On June 18, 2014, after two failed attempts to notify her via postal service, the South Carolina Department of Education (SCDE) provided notice by personal service to Ms. Moss informing her that her educator certificate had been summarily suspended and that the State Board would meet to make a determination regarding the possible suspension or revocation of her educator certificate. On June 24, 2014, Ms. Moss was personally served as evidenced by an affidavit of proof of service signed by the Sumter County Sheriff's Office. Ms. Moss did not request a hearing in this matter and is in default.

After considering the evidence presented concerning Ms. Moss' unprofessional conduct, the State Board voted to revoke Ms. Moss' educator certificate 232269, effective April 8, 2015.

FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann. § 59-25-160 (2004).

Ms. Moss holds a professional South Carolina educator certificate and has two years of teaching experience. Ms. Moss had been employed by the Sumter County School District One (District) as a teacher at Chestnut Oaks Middle School (School) since January 2013. The District placed Ms. Moss on administrative leave on or around the date of her arrest. On February 19, 2014, the Sumter County Sheriff's Department arrested Ms. Moss and charged her with criminal sexual conduct with a minor, second degree, pursuant to S.C. Code Ann. § 16-3-655(B)(1) (Supp. 2014) as a result of allegations that she engaged in sexual conduct with a male minor (age 13) who was a student at the School. Ms. Moss was also subsequently charged with contributing to the delinquency of a minor pursuant to S.C. Code Ann. § 16-17-490 (2003); assault and battery, second degree, pursuant to S.C. Code Ann. § 16-3-600(D) (1) (Cum. Supp.); and criminal solicitation of a minor pursuant to S.C. Code Ann. § 16-15-342 (Cum. Supp.) as a result of allegations of her conduct with male minors who were students at the School. On February 24, 2014, the Chair of the State Board summarily suspended Ms. Moss' educator certificate as a result of her arrest and her unprofessional conduct towards students. On June 18, 2014, after two failed attempts to notify her via postal service, the SCDE provided notice by personal service to Ms. Moss informing her that her educator certificate had been summarily suspended and that the State Board would meet to make a determination regarding the possible suspension or revocation of her educator certificate. On June 24, 2014, Ms. Moss was personally served as evidenced by an affidavit of proof of service signed by the Sumter County Sheriff's Office. Ms. Moss did not request a hearing in this matter and is in default.

The SCDE has investigated this matter and has presented evidence documenting Ms. Moss' unprofessional conduct and inappropriate relationships with several 8th grade male students. The evidence against Ms. Moss consists of statements from students and teachers at the school, in addition to Facebook instant messaging conversations between various students and herself. One 13-year-old male student's statement asserted Ms. Moss picked him up from his home, drove him to her residence while her husband was out, and performed oral sex on him. Ms. Moss repeatedly told the student in Facebook messages that she loved him and asked him if

he wanted to “play.” Ms. Moss also proclaimed jealously of the student’s girlfriend stating that she wanted what his girlfriend was getting.

Another male student stated that Ms. Moss wrote a pass for him to come to her classroom during the school day and, when it was time to leave, placed a tablet on his upper-thigh near his groin and wrote his excuse, causing him to become aroused. He stated when they stood up she pressed her body against him, touched his buttocks and kissed him on the lips.

Facebook conversations with a third male student involve a graphic description of the sexual activities Ms. Moss desired with him and a discussion of having him come to her classroom during her planning period for sexual activity with her. She instructed him to say that he was coming to her classroom to work on improving his grade, if anyone asked.

A female student stated that Ms. Moss showed favoritism towards some of the male students. In Facebook conversations with another female student, Ms. Moss revealed inappropriate personal details such as her interest in male students at the school. Ms. Moss denied making the Facebook comments and asserted that she had never interacted with a student in an inappropriate manner.

After considering the evidence presented, the State Board voted to permanently revoke Ms. Moss’ educator certificate 232269, effective April 8, 2015.

CONCLUSIONS OF LAW

“The State Board 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, conduct involving moral turpitude 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). The State Board finds that Ms. Moss engaged in unprofessional conduct, immorality, conduct involving moral turpitude and demonstrated evident unfitness for a position for which employed, as a result of her inappropriate relationships and sexual contact with three male students as well as her unprofessional behavior and communication with students.

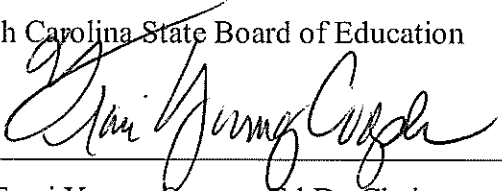
The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 232269 issued in the name of Elizabeth Marie Moss. The permanent revocation of Mr. Moss’ educator certificate 232269 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

By: _____


Traci Young Cooper, Ed.D., Chair

Columbia, South Carolina

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