

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator)
)
Certificate of Hayli Kristine Downs)
)
Certificate 257136)

ORDER OF PUBLIC REPRIMAND

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 10, 2015. On July 28, 2015, the South Carolina Department of Education (SCDE) contacted Hayli Kristine Downs regarding of the possible action against of her educator certificate by regular and certified mail, return receipt requested. On August 3, 2015, Ms. Downs sent a letter informing SCDE that she was unable to attend a hearing. Based on further discussions with Ms. Downs, she agreed to waive her right to a hearing in this matter. After considering the information presented by the SCDE, the State Board voted to issue this Order of Public Reprimand.

FINDINGS OF FACT

Ms. Downs holds a valid South Carolina professional educator certificate and has seven (7) years of teaching experience. She has no prior record of disciplinary action with the State Board. Except for 2012 when she worked in Laurens County School District 55, Ms. Downs was employed by Newberry County School District (District) from 2006 until her resignation on February 20, 2015, as a Lower Elementary Montessori Teacher at Newberry Elementary School (School). On February 13, 2015, Ms. Downs was suspected of being under the influence of alcohol in the workplace. Ms. Downs ultimately admitted to consuming three (3) beers and wine throughout the night prior to coming to work. February 13, 2015 was a staff development day and no students were at the school. Ms. Downs refused to submit to a blood-alcohol screening. As a result of this incident and Ms. Downs' failure to submit to a blood-alcohol screening, Ms. Downs was offered the opportunity to resign on the same day. Ms. Downs requested time to draft her letter of resignation, which she submitted to the District on February 20, 2015, effective immediately.

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Ms. Downs engaged in unprofessional conduct. She waived her right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review. A Public Reprimand is hereby issued by the State Board, the Public Reprimand shall be reported to all school districts in South Carolina with the grounds listed as “unprofessional conduct,” and the Order of Public Reprimand shall be posted on the SCDE’s website and shall be maintained as a public record in the SCDE’s Office of General Counsel. After considering the evidence presented, the State Board voted to issue the Public Reprimand as forth above.

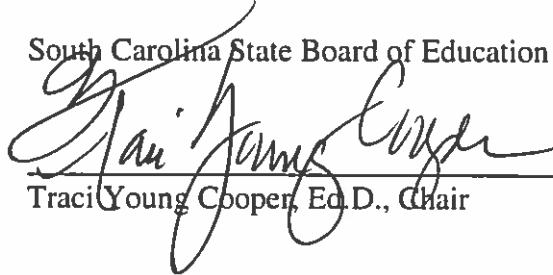
CONCLUSIONS OF LAW

“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 (Rev. 2004); The State Board may, for just cause, issue a public reprimand. 24 S.C. Code Ann. Regs. 43-58 (2011). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-2-160 (Rev. 2004). The State Board finds that the evidence presented, which is undisputed by Ms. Downs, demonstrates that Ms. Downs engaged in unprofessional conduct, as a result of poor judgment by reporting to work under the influence of alcohol that just cause exists to publicly reprimand Ms. Downs. The evidence presented supports the State Board’s decision issue a Public Reprimand.

Now, therefore, it is hereby ordered that Public Reprimand is issued to Hayli Kristine Downs, certificate 257136. The public reprimand of Ms. Downs, certificate 257136 shall be reported to 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

A handwritten signature in black ink, appearing to read "Traci Young Cooper", is written over a horizontal line.

Traci Young Cooper, Ed.D., Chair

Columbia, South Carolina
November 10, 2015