

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the)
Suspension of the)
Educator Certificate of)
Mark Bradley Davis)
Certificate 232920)
_____)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 12, 2016. On May 5, 2014, the South Carolina Department of Education (SCDE) sent Mark Bradley Davis a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 232920 by certified mail, return receipt, restricted delivery, and regular mail, regarding allegations of unprofessional conduct while employed with Horry County School District. Mr. Davis received the notice and subsequently requested a hearing on May 20, 2014. During the pendency of this matter related to allegations of unprofessional conduct while employed with Horry County School District, Mr. Davis worked as a teacher with Dillon County School District Four. Unfortunately, Mr. Davis allegedly breached his contract with Dillon County School District Four. After the State Board sent Mr. Davis notice of his right to a hearing on the subsequent matter of his breach of contract with Dillon County School District Four, Mr. Davis informed the SCDE on March 10, 2016, that he did not want a hearing as to either matter. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Mr. Davis's educator certificate for a period of one year commencing on April 12, 2016, and ending on April 11, 2017.

Accepted:
Mark
Bradley
Davis
232920

MBD
Initial Here

3/22/16
Date

FINDINGS OF FACT

Mr. Davis holds a valid South Carolina professional educator certificate and has over eleven years of teaching experience. Mr. Davis was employed by Horry County School District (District) between 2007 and 2013 as a Social Studies teacher at Aynor

High School (School), until his resignation on June 30, 2014. Mr. Davis was not employed as a teacher in any school district during the 2014/2015 school year.

Mr. Davis's resignation followed allegations that Mr. Davis had engaged in unprofessional conduct by using inappropriate language in the classroom, by exercising poor judgment in his email correspondence to district staff, and by posting inappropriate comments on social media. When Mr. Davis met with district administrators to discuss his classroom behavior and demeanor at school, he admitted to using inappropriate language in the classroom on occasion, but specifically denied ever directing these comments to any students. Mr. Davis also denied the other allegations.

On May 5, 2014, the SCDE served Mr. Davis with a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 232920 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Davis initially requested a hearing on May 20, 2014.

Mr. Davis is also in breach of contract with Dillion County School District Four after resigning his post October 15, 2015, without notice or approval. The SCDE sent notice to Mr. Davis of his right to a hearing in this subsequent breach of contract matter on January 29, 2016.

In a telephone conversation on March 10, 2016, with the SCDE, Mr. Davis confirmed that he would forgo a hearing in these matters and agreed to the suspension of his certificate for a period of one year.

After considering the information presented by the SCDE, the State Board voted to accept the Consent Order of Suspension.

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); S.C. Code Ann. § 59-25-160 (Rev. 2004). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (Rev. 2004); 2 S.C. Code Regs. 43-58 (2011). Pursuant to S.C. Code Ann. § 59-25-530 (Rev. 2004), "any teacher who fails to comply with the provisions of his contract without the written consent of the school board shall be deemed guilty of unprofessional conduct." 24 S.C. Code Ann. Regs. 43-58 (2) and (14) (2011),

Accepted:
Mark
Bradley
Davis
232920


Initial Here

3/22/16
Date

provides that the State Board of Education has the legal authority, *inter alia*, to suspend a certificate for "wilful neglect of duty" and "failure to comply with the provisions of a contract without the written consent of the local school board."

The State Board finds that the record outlined above, demonstrates Mr. Davis engaged in unprofessional conduct as a result of his use of inappropriate language in the classroom and poor judgment in his email correspondence to district staff while employed by the Horry County School District. Likewise, the record demonstrates that Mr. Davis breached his employment contract with Dillon County School District Four. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Mark Bradley Davis on the grounds of unprofessional conduct for a period of one year commencing on April 12, 2016, and ending on April 11, 2017.

Now, therefore, it is hereby ordered that the educator certificate of Mark Bradley Davis, certificate 232920, is suspended for a period of one year commencing on April 12, 2016, and ending on April 11, 2017. If Mr. Davis wishes to have his certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. He shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees.

The suspension of Mr. Davis's educator certificate 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: _____

Michael R. Brennan, Chair

Columbia, South Carolina
April 12, 2016

Accepted:
Mark
Bradley
Davis
232920

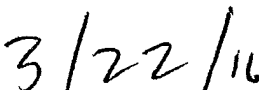

Initial Here

3/22/16
Date

Davis, Mark Bradley - Certificate 232920
Consent Order of Suspension
April 12, 2016
Page 4

I, Mark Bradley Davis, S.C. Educator Certificate 232920, have read the Consent Order of Suspension, consisting of four pages, and I freely and voluntarily agree to the terms set forth therein. I also 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 during this suspension period. I agree to the proposed Consent Order of Suspension, and understand that this Order will be presented as signed to the South Carolina State Board of Education on April 12, 2016.


Signature


Date