

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Bion L. Shoemaker,)
Certificate 171368)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on August 22, 2016. 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 Bion L. Shoemaker, certificate 171368, as a result of his arrest on or about August 18, 2016, in Horry County, South Carolina, on the charges of felony Burglary, 2nd degree (3 counts), felony Breaking into a Motor Vehicle (2 counts), Unlawful Carrying of a Pistol and Simple Possession of Marijuana. The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Shoemaker may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Shoemaker's 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 Mr. Shoemaker of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Shoemaker holds a professional South Carolina educator certificate and has over twenty one years of teaching experience. Mr. Shoemaker has been employed by the Horry County School District (District) since 2012. He was employed as a special education teacher at Socastee High School (School) for the 2016-2017 school year. Mr. Shoemaker was placed on administrative leave on or about August 19, 2016, following his arrest. Mr. Shoemaker was arrested on or about August 18, 2016, in Horry County, South Carolina, and

charged with felony Burglary, 2nd degree (3 counts), felony Breaking into a Motor Vehicle (2 counts), Unlawful Carrying of a Pistol and Simple Possession of Marijuana. It is alleged that Mr. Shoemaker has been connected to a string of burglaries in the area of Surfside Beach, South Carolina. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Shoemaker may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Shoemaker's 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 Mr. Shoemaker of the summary suspension, as well as the possible suspension or revocation of his 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, possession of narcotics, 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-IO (2004) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Shoemaker's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed, possession of narcotics, and his arrest on the felony Burglary, 2nd degree (3 counts), felony Breaking into a Motor Vehicle (2 counts), Unlawful Carrying of a Pistol and Simple Possession of Marijuana, there is reason to believe that Mr. Shoemaker may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Bion L. Shoemaker, certificate 171368, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved.

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The SCDE is directed to serve notice on Mr. Shoemaker of the summary suspension, as well as the possible suspension or revocation of his educator certificate. The summary suspension of Mr. Shoemaker's South Carolina educator certificate shall be immediately reported to the NASDTEC Clearinghouse and to all South Carolina school districts.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Michael R. Brennan, Chair

Columbia, South Carolina
August 22, 2016