

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)
)
the Educator Certificate)
)
of Virginia W. Grant)
)
Certificate 221646)
_____)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 14, 2016. On May 3, 2016, the South Carolina Department of Education (SCDE) sent notice to Virginia W. Grant regarding the possible disciplinary action of her educator certificate by regular and certified mail, return receipt requested. After receiving the notice, Ms. Grant informed the SCDE that she agreed to waive her right to a hearing and accept a one year suspension of her educator certificate. After considering the information presented by the SCDE, the State Board voted to accept the Consent Order of Suspension for a period of one year from June 14, 2016, to June 13, 2017.

FINDINGS OF FACT

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

Ms. Grant holds a valid South Carolina professional educator certificate and has over eight years of teaching experience. She has no prior record of disciplinary action with the State Board. Ms. Grant began working with the Florence County School District 2 (District) on August 12, 2013, as a language arts teacher at Hanna-Pamplico Elementary Middle School (School).

Ms. Grant had been using an electronic (e-cigarette) device as a means to stop smoking and the District received reports that students had observed her using this device. The District advised Ms. Grant to never use the device in front of students and to restrict its use to areas such as the staff bathroom where Ms. Grant would have privacy. Ms. Grant further had difficulty with classroom management and was counseled on the matter by District administration. On February 25, 2014, the District Superintendent and a School Principal met with Ms. Grant to discuss the importance of her maintaining the highest level of professional standards. The Superintendent also reminded Ms. Grant that

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the District had a Tobacco Free Policy and that the e-cigarette device was considered tobacco paraphernalia and should not be used or be in her possession while on District property.

On March 16, 2015, Ms. Grant had an e-cigarette on her desk, in plain view of students in her room. She was asked to remove the e-cigarette from her desk and to not have it on campus in the future because it was clearly forbidden by District policy. Notwithstanding the previous directive, later that same day, Ms. Grant was again found to have the e-cigarette on her desk in plain view of students. She was told to go home for the remainder of the day. On March 18, 2015, the District Superintendent issued Ms. Grant an official reprimand for inappropriate behavior and failure to exercise the professional judgment expected of a District teacher.

On March 27, 2015, the principal went to Ms. Grant's classroom to observe student engagement and instructional interaction by Ms. Grant. A conference was subsequently held with District administration and Ms. Grant and it was determined that Ms. Grant's evaluation status for 2015-2016 school year would be SAFE-T. Ms. Grant resigned from the District on August 24, 2015. On September 10, 2015, the District Superintendent reported this matter to SCDE.

On May 3, 2016, the SCDE sent notice to Ms. Grant regarding possible disciplinary action on her educator certificate by regular and certified mail, return receipt requested. After receiving the notice, Ms. Grant informed the SCDE that she agreed to waive her right to a hearing and accept a one year suspension of her educator certificate. After considering the information presented by the SCDE, the State Board voted to accept the Consent Order of Suspension.

Ms. Grant waives her right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, 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); 24 S.C. Code Regs 43-58 (2011).

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The State Board finds that the record outlined above, demonstrates that Ms. Grant engaged in unprofessional conduct, as a result of her repeatedly using an e-cigarette on school property and her failure to follow District policy. The evidence presented demonstrates that just cause exists to suspend Ms. Grant's educator certificate for a period of one year commencing on June 14, 2016, and ending on June 13, 2017.

Now, therefore, it is hereby ordered that the educator certificate of Virginia W. Grant, certificate 221646, is suspended for a period of one year commencing on June 14, 2016, and ending on June 13, 2017. If Ms. Grant wishes to have her educator certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE's Office of Educator Services. Ms. Grant shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement of her educator certificate and for the payment of any applicable reinstatement fees. The suspension of Ms. Grant'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

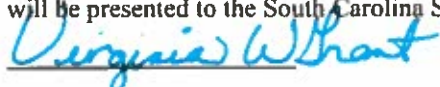


Michael R. Brennan, Chair

Columbia, South Carolina

June 14, 2016

I, Virginia W. Grant, S.C. Educator Certificate 221646, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review. I hereby freely, knowingly and voluntarily agree to the suspension of my educator certificate by the South Carolina State Board of Education. I agree to the proposed Consent Order of Voluntary Suspension, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on June 14, 2016.



Signature

5-26-16

Date