

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator)
)
Certificate of Robert Dean Johnson)
)
Certificate 247133)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 11, 2016. On March 2, 2016, the South Carolina Department of Education (SCDE) sent notice to Mr. Robert Dean Johnson that the State Board would meet to make a determination regarding disciplinary action of his South Carolina educator certificate based on the provisions of S.C. Code Ann. § 59-25-160 (Rev. 2004), for unprofessional conduct by regular and certified mail, return receipt requested. After receiving the notice, Mr. Johnson initially requested a hearing. Prior to the scheduling of the hearing, Mr. Johnson informed the SCDE that he agreed to waive his right to a hearing and enter into this Consent Order of Suspension. After reviewing the information presented, the State Board voted to accept the Consent Order of Suspension. Mr. Johnson's educator certificate shall be suspended for a period of one year, effective May 11, 2016, and ending May 10, 2017.

Robert D.
Johnson
247133

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4-11-16
Date

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).

Mr. Johnson holds a professional South Carolina educator certificate and has over six years of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Johnson had been employed by the Horry County School District (District) since 2010 as a computer technology teacher at Aynor High School, (School). Mr. Johnson resigned from the District, effective September 25, 2015.

On September 8, 2015, Mr. Johnson was arrested for Possession with Intent to Distribute Methamphetamine (C-II), a felony. Mr. Johnson received a package mailed to

him containing the drug, via the United States Postal Service. The District placed Mr. Johnson on paid administrative leave on September 9, 2015.

On September 18, 2015, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend the educator certificate of Robert Dean Johnson, certificate 247133, as a result of his being arrested September 8, 2015, in Horry County, South Carolina, and charged with felony drug possession, pursuant to S.C. Code Ann. § 44-53-375(B)(1)(2002). The SCDE sent notice to Mr. Johnson on September 18, 2015. Mr. Johnson subsequently resigned his employment with the District effective September 25, 2015. Mr. Johnson entered Pre-Trial Intervention (PTI), has completed the drug counseling component of his PTI program, and has passed random drug screens as part of the program. Mr. Johnson agrees to submit to random drug screens as needed during his suspension.

On March 2, 2016, the SCDE sent notice to Mr. Johnson that the State Board would meet to make a determination regarding disciplinary action of his South Carolina educator certificate based on the provisions of S.C. Code Ann. § 59-25-160 (Rev. 2004), for unprofessional conduct by regular and certified mail, return receipt requested. While Mr. Johnson initially indicated that he wanted a hearing in this matter, Mr. Johnson later informed the SCDE that he desired to waive his right to a hearing and agreed to enter into a Consent Order of Suspension. Mr. Johnson has agreed to enter into this Consent Order of Suspension suspending his educator certificate for a period of one year, effective May 11, 2016, and ending May 10, 2017.

Mr. Johnson agrees to the suspension of his Education certification, subject to the following conditions: (1) his educator certificate will be suspended for one year, beginning immediately upon the approval by the State Board of the Consent Order of Suspension; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the Order of Suspension will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse for unprofessional conduct.

Robert D.
Johnson
247133


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4-11-16
Date

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). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Johnson engaged in unprofessional conduct as a result of his arrest for Possession with Intent to Distribute Methamphetamine (C-II). The evidence presented supports the State Board's determination that just cause exists to suspend Mr. Johnson's educator certificate for a period of one year, effective May 11, 2016, and ending May 10, 2017.

If Mr. Johnson wishes to have his educator certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator Services, and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Johnson shall be responsible for payment of the applicable reinstatement fee.

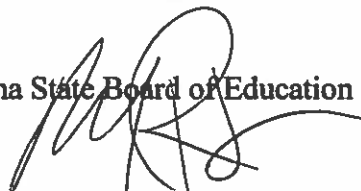
The suspension of the educator certificate of Robert Dean Johnson, certificate 247133, shall be immediately reported to the NASDTEC Clearinghouse and all South Carolina school districts.

Now, therefore, it is ordered that the Consent Order of Suspension is accepted and the educator certificate of Robert Dean Johnson is hereby suspended for a period of one year, effective May 11, 2016, and ending May 10, 2017.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By:


Michael R. Brehan, Chair

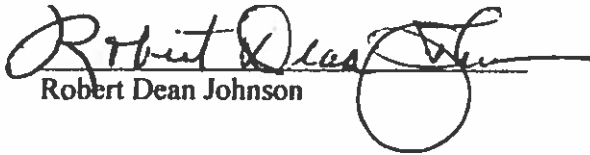
Robert D.
Johnson
247133


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Date

Columbia, South Carolina
May 11, 2016

I, Robert Dean Johnson, S.C. Educator Certificate 247133, 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 four pages, and understand that this Order will be presented to the South Carolina State Board of Education on May 11, 2016


Robert Dean Johnson

April 11, 2016
Date

