

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of Disciplinary Action)
)
of the Educator Certificate of)
)
Donald I. Martz,)
)
Certificate 216176)
_____)

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered the matter on April 10, 2018. On March 1, 2018, the South Carolina Department of Education (SCDE) sent a notice letter to Donald I. Martz informing him that the State Board would meet to make a determination regarding the possible disciplinary action of his educator certificate, by regular and certified mail, return receipt requested delivery restricted to addressee. Mr. Martz has received the notice on March 5, 2018, as evidenced by a signed postal receipt bearing his signature. He has not requested a hearing in this matter and is in default. After considering the evidence presented, the State Board voted to suspend Mr. Martz's educator certificate for a period of one calendar year, commencing on April 10, 2018, and ending on April 9, 2019. Mr. Martz will also be required to complete SCDE approved professional boundaries in the workplace training before requesting a reinstatement of his educator certificate.

FINDINGS OF FACT

Mr. Martz holds a valid South Carolina professional educator certificate and has over twenty years of teaching experience. The Beaufort County School District (District) employed Mr. Martz as a physical education teacher and Athletic Director at Lady's Island Middle School (School). The District placed Mr. Martz on administrative leave on November 9, 2017, after his inappropriate advances towards a female colleague. Mr. Martz had also made inappropriate remarks of a sexual nature towards other female coworkers. He subsequently resigned from the District effective January 1, 2018.

On or about November 6, 2017, the school administration was notified that Mr. Martz had grabbed a fellow teacher's arm and attempted to kiss her. The teacher reported to the school administration that on November 3, 2017, Mr. Martz had grabbed her arm and attempted to kiss her during a school football game. The coworker asserted she clearly told Mr. Martz "No!" and

she walked away from the situation. Ms. Murray disclosed Mr. Martz's behavior on November 3, 2017, was not an isolated incident. She also reported in July 2017, Mr. Martz grabbed her and tried to kiss her in a school gym storage area. Mr. Martz also made comments to her about her weight loss and her attractive appearance. When confronted by District administration, Mr. Martz admitted to attempting to kiss the teacher.

Upon further investigation, the District learned Mr. Martz made inappropriate comments to other female staff members, including sexually suggestive comments. Mr. Martz admitted to this conduct toward other School staff members.

On December 6, 2017, the District informed the SCDE Mr. Martz had resigned from his employment with the District, effective January 1, 2018. The SCDE investigated this matter and sent a notice letter to Mr. Martz on March 1, 2018, informing him that the State Board would meet to make a determination regarding possible disciplinary action of his educator certificate and that he had a right to a hearing. Mr. Martz received the notice on March 5, 2018, and did not request a hearing in this matter. After considering the evidence presented, the State Board voted to suspend Mr. Martz's educator certificate for a period of one calendar year, commencing on April 10, 2018, and ending on April 9, 2019. Mr. Martz will also be required to complete SCDE approved professional boundaries in the workplace training before requesting reinstatement of his educator certificate.

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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2017). The State Board finds that the evidence presented demonstrates Mr. Martz engaged in unprofessional conduct as a result of his inappropriate and unprofessional conduct towards and in the presence of coworkers during his employment with the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Donald I. Martz, Educator Certificate 216176, for a period of one calendar year, commencing on April 10, 2018, and ending on April 9, 2019. Mr. Martz will also be required to complete an SCDE approved professional boundaries in the workplace training before requesting the reinstatement of his educator certificate.

If Mr. Martz 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. Martz shall provide documentation of successful completion of SCDE approved training in professional boundaries in the workplace and shall also be responsible for the payment of the applicable reinstatement fee. The suspension of Mr. Martz's Educator Certificate 216176 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: Dr. Sharon Wall 
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
April 10, 2018