

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Whitney Danielle Brooks,)
Educator Certificate 260821)
_____)

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on February 27, 2018. In accordance with S.C. Code Ann. § 1-23-370(c) (2016), § 59-5-10 (2016), 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 Whitney Danielle Brooks, educator certificate 260821, as a result of the pending criminal charge against her. Ms. Brooks has been charged with a felony count of Driving under the influence, S.C. Code Ann. §56-5-2945(A) (2017), which is also classified as a violent crime pursuant to S.C. Code Ann. §16-1-60 (2017). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Brooks may pose a threat to the health, safety and welfare of students, who may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Brooks' 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 Ms. Brooks of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Brooks holds a professional South Carolina educator certificate and has over five years of teaching experience. Ms. Brooks was employed by Charleston County School District (District) and served as a math teacher at Burke High School (School).

On February 15, 2018, the Dorchester County Sheriff's Office charged Ms. Brooks with Driving under the influence, S.C. Code Ann. §56-5-2945(A) (2017). Ms. Brooks was involved in a traffic collision with a motorcyclist. After the accident, Ms. Brooks was given a standardized

field sobriety test. After completing this test, the officer read Ms. Brooks her rights and transported her to a medical center for further testing. Ms. Brooks was arrested and charged with one felony count of driving under the influence after the motorcyclist died from the injuries sustained in the collision. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Ms. Brooks may pose a threat to the health, safety, and welfare of students who may be under her instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Brooks' 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 Ms. Brooks of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

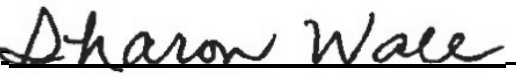
CONCLUSIONS OF LAW

"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 (2016). Just cause includes unprofessional conduct, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). In accordance with S.C. Code Ann. § 1-23-370(c) (2016), "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 § 59-5-10 (2016) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Ms. Brooks unprofessional conduct, evident unfitness for position for which employed, her arrest for felony driving under the influence, there is reason to believe Ms. Brooks may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of Whitney Danielle Brooks, educator certificate 260821, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Brooks of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

Whitney Danielle Brooks, Educator Certificate 260821
Order of Summary Suspension
February 27, 2018
Page 3

AND IT IS SO ORDER

South Carolina State Board of Education

By: 
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
February 27, 2018