

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of Suspension)
)
of the Educator Certificate of)
)
Elizabeth M. Bennett,)
)
Certificate 127172)
_____)

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered the matter on May 8, 2018. On March 28, 2018, the South Carolina Department of Education (SCDE) sent a notice letter to Ms. Bennett, via regular mail and certified mail, restricted delivery, regarding possible disciplinary action to be taken against her educator certificate 127172. Ms. Bennett received the certified mail on April 9, 2018, as evidenced by the signed postal receipt. Ms. Bennett has not requested a hearing in this matter and is in default. After considering the evidence presented, the State Board voted to suspend Ms. Bennett's educator certificate for a period of one year, commencing on May 8, 2018, and ending on May 7, 2019. Ms. Bennett is also instructed to complete the NASDTEC "Prevention and Corrections" course in professional boundaries and ethics prior to the reinstatement of her educator certificate.

FINDINGS OF FACT

Ms. Bennett holds a valid South Carolina professional educator certificate and has over twenty-four years of teaching experience. She has no prior history of disciplinary action with the State Board. Ms. Bennett began employment with the District Five Schools of Spartanburg County (District) in 2016. She was serving as an art teacher at James F. Byrnes High School (School) at the time of the incident.

On December 8, 2017, the District placed Ms. Bennett on administrative leave during an investigation into allegations of Ms. Bennett's unprofessional conduct in failing to supervise students in her classroom. The District received information Ms. Bennett was present in the classroom when two students engaged in sexual acts. The students engaged in this behavior on multiple occasions in the back of the class behind a lab table, during the School's "Power Hour." The "Power Hour" is a time intended for students to receive tutoring, complete assignments,

meet with school staff to handle school business, have lunch and/or have time for clubs/student organizations during the school day.

When confronted with the allegations, Ms. Bennett responded that she was shocked and dismayed. She stated the two students would sit in the back of the room and that she could not always see them. Ms. Bennett noted the students were never left alone in the room. However, another student observed the inappropriate behavior while accessing supplies in the back of the room. Ms. Bennett chose to resign from the District and retire.

On January 11, 2018, the District reported to the SCDE that Ms. Bennett had resigned from her employment with the District, effective March 11, 2018, following an investigation into allegations that students engaged in sexual behavior while under her supervision in the classroom.

After considering the evidence presented, the State Board voted to suspend Ms. Bennett's educator certificate for a period of one year, commencing on May 8, 2018, and ending on May 7, 2019. Ms. Bennett is also instructed to complete the NASDTEC "Prevention and Corrections" course in professional boundaries and ethics prior to the reinstatement of her 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 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016). The State Board finds that the evidence presented demonstrates that Ms. Bennett engaged in unprofessional conduct as a result of her failure to supervise students in her classroom during her employment with the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Elizabeth M. Bennett, educator certificate 127172, for a period of one year, commencing on May 8, 2018, and ending on May 7, 2019. Ms. Bennett is also instructed to complete the NASDTEC "Prevention and Corrections" course in professional boundaries and ethics prior to the reinstatement of her educator certificate.

If Ms. Bennett wishes to have her educator certificate reinstated at the end of the suspension period, she shall make a written request to the SCDE's Office of Educator Services and shall meet all certification requirements in effect at the time she requests reinstatement. Ms.

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Bennett shall also submit documentation of the completion of the NASDTEC "Prevention and Corrections" course in professional boundaries and ethics and shall be responsible for the payment of the applicable reinstatement fee. The suspension of Ms. Bennett's Educator Certificate 127172 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: Sharon Wall
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
May 8, 2018