

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Nicole M. Wilson,)
)
Certificate 251989)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on November 13, 2018. On or about January 6, 2017, Nicole M. Wilson was arrested and charged with one count of felony driving under the influence, pursuant to S.C. Code Ann. § 56-5-2945(A)(2) (2017). On February 17, 2017, the Chair of the State Board summarily suspended Ms. Wilson's educator certificate. On February 22, 2017, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Ms. Wilson regarding the possible suspension or revocation of her South Carolina Educator Certificate. Ms. Wilson's legal counsel requested the final hearing be postponed while the criminal matter was litigated. On July 13, 2018, Ms. Wilson pled guilty to the criminal charge. After considering the evidence presented and pursuant to S.C. Code Ann. § 59-25-280, the State Board voted to permanently revoke Ms. Wilson's educator certificate 251989, effective November 13, 2018.

FINDINGS OF FACT

Ms. Wilson holds a suspended professional South Carolina educator certificate and has over five years of teaching experience. Ms. Wilson was employed by Lexington County School District One (District) at the time of her arrest.

On or about January 6, 2017, Ms. Wilson was arrested and charged with one count of felony driving under the influence, pursuant to S.C. Code Ann. § 56-5-2945(A)(2) (2017). The charge was a result of allegations that Ms. Wilson was operating a motor vehicle while under the influence of alcohol. Ms. Wilson's alleged actions resulted in a collision with another vehicle and the death of an occupant in the other vehicle.

In accordance with S.C. Code Ann. § 1-23-370(C) (2017) and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend Ms. Wilson's educator certificate as a result of her arrest. On February 17, 2017, the Chair of the State Board summarily suspended Ms. Wilson's educator certificate. Ms. Wilson was notified of

the suspension and requested through legal counsel that a final hearing be postponed while the criminal charges were heard. On July 13, 2018, Ms. Wilson pled guilty to the criminal charge.

Felony driving under the influence, S.C. Code Ann. § 56-5-2945(A)(2), is defined as a violent crime under S.C. Code Ann. § 16-1-160 (2017). Pursuant to S.C. Code Ann. § 59-25-280, the State Board shall permanently revoke a certificate if the holder pleads guilty to a violent crime as defined under S.C. Code Ann. § 16-1-160 (2017). After considering the evidence presented and pursuant to S.C. Code Ann. § 59-25-280, the State Board voted to permanently revoke Ms. Wilson's educator certificate 251989, effective November 13, 2018.

CONCLUSIONS OF LAW

"The State Board 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, conduct involving moral turpitude, crime against the law of this State, immorality, 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). The State Board finds that Ms. Wilson engaged in unprofessional conduct and committed crimes against the laws of this state as a result of her confession to the criminal charge of felony driving under the influence, S.C. Code Ann. § 56-5-2945(A)(2) (2017).

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 251989 issued in the name of Nicole M. Wilson. The permanent revocation of Ms. Wilson's educator certificate 251989 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
November 13, 2018