

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Jonathan Paul Brazzell,)
Educator Certificate 259401)
_____)

**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, 2019. 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 Jonathan Paul Brazzell, educator certificate 259401, as a result of his arrest on two felony counts of possession with intent to distribute unlawful drugs, S.C. Code Ann. §44-53-370(b)(2) (2017). Mr. Brazzell also received two misdemeanor charges, one for possession of amphetamine S.C. Code Ann. §44-53-370(d)(2) (2017), the other for possession of marijuana, S.C. Code Ann. §44-53-370(d)(4) (2017).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Brazzell may pose a threat to the health, safety, and welfare of students, who may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Brazzell's 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 Mr. Brazzell of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Brazzell holds a professional South Carolina educator certificate and has over six years of educator experience. Mr. Brazzell is employed by Richland County School District One

(District) and served as a teacher at Crayton Middle School (School). On January 24, 2019, the District placed Mr. Brazzell on administrative leave.

On or about January 23, 2019, the Columbia Police Department charged Mr. Brazzell with two felony counts of possession with intent to distribute unlawful drugs, S.C. Code Ann. §44-53-370(b)(2) (2017), and two misdemeanor charges, one for possession of amphetamine S.C. Code Ann. §44-53-370(d)(2) (2017), the other charge for possession of marijuana, S.C. Code Ann. §44-53-370(d)(4) (2017).

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Brazzell may pose a threat to the health, safety, and welfare of students who may be under his instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Brazzell's 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 Mr. Brazzell of the summary suspension, as well as the possible suspension or revocation of his 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 laws 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 Mr. Brazzell's unprofessional conduct and evident unfitness for the position for which employed due to his felony arrest for two counts of possession with intent to distribute unlawful drugs, S.C. Code Ann. §44-53-370(b)(2) (2017), a misdemeanor charge of possession of amphetamine S.C. Code Ann. §44-53-370(d)(2) (2017) and a misdemeanor charge of possession of marijuana, S.C. Code Ann. §44-53-370(d)(4) (2017).

There is reason to believe Mr. Brazzell may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of Jonathan Paul Brazzell, educator certificate 259401, 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 Mr. Brazzell of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Del-Gratia Jones, Chair

Columbia, South Carolina
February 27, 2019