

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Douglas William Brooks
Certificate 179414

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on January 28, 2020. In accordance with S.C. Code Ann. § 1-23-370(c) (2017), § 59-5-10 (2017), 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 Douglas William Brooks, educator certificate 179414, as a result of his arrest on the felony count of criminal sexual conduct, 2nd degree, S.C. Code Ann. § 16-3-653(2018).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Brooks 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. 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 Mr. Brooks of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Brooks holds a valid South Carolina professional educator certificate and has twenty-four years of educator experience. At the time of the incident, Mr. Brooks was employed by Anderson County School District Two (District) as a teacher at Belton Honea Path High School (School).

On December 30, 2019, a former student of the School made a report to the Anderson County Sheriff. The former student alleged Mr. Brooks committed a sexual battery with her while she was a student at the School between April 1 and July 31, 2012.

Mr. Brooks was charged with criminal sexual conduct, 2nd degree, due to his position of official authority over the victim as her teacher at the School.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Brooks 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. 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 Mr. Brooks 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 (2017); S.C. Code Ann. § 59-25-160 (2017). 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 (2017); 24 S.C. Code Regs. 43-58 (2017). In accordance with S.C. Code Ann. § 1-23-370(c) (2017), "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 (2017) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Brooks' unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, due to his felony arrest for charges of criminal sexual conduct, 2nd degree, S.C. Code Ann. § 16-3-653(2018), there is reason to believe Mr. Brooks may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of Douglas William Brooks, educator certificate 179414, is summarily suspended until a due process hearing is held and/or this

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matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Brooks 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

Michael Brennan
Michael Brennan, Chair

Columbia, South Carolina
January 28, 2020