

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Nicholas Scott Everett
Certificate 276461

CONSENT ORDER OF VOLUNTARY SURRENDER

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 13, 2021. On March 11, 2021, the South Carolina Department of Education (SCDE) sent a notice letter to Nicholas Scott Everett regarding the possible suspension or revocation of his South Carolina educator certificate. Mr. Everett has agreed to waive his right to a hearing and enter into a Consent Order of Voluntary Surrender of his educator certificate 276461, effective April 13, 2021. After considering the evidence provided, the State Board has agreed to accept the Consent Order of Voluntary Surrender of Mr. Everett's educator certificate 276461, effective April 13, 2021.

FINDINGS OF FACT

Mr. Everett holds a valid South Carolina educator certificate. He has no prior discipline history in South Carolina and has over five years of educator experience. On November 21, 2019, Mr. Everett resigned from his position at Union County High School (School) in the Union County School District (District).

On November 6, 2019, a female student reported that she had received inappropriate communications from Mr. Everett. The student described behavior such as liking her photos on social media, that made her uncomfortable with Mr. Everett. New allegations were brought to the District on November 21, 2019, and Mr. Everett chose to resign from the District at that time. The District had previously reprimanded Mr. Everett for failing to maintain clear boundaries with his students.

Mr. Everett has agreed to waive his right to a hearing and to surrender his South Carolina educator certificate 276461, subject to the following conditions: (1) his educator

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276461
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certificate will become invalid and revoked immediately upon the approval by the State Board of the Consent Order of Voluntary Surrender; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the surrender of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a voluntary surrender and revocation.

After considering the evidence presented, the State Board voted to accept the Consent Order of Voluntary Surrender of Nicholas Scott Everett, educator certificate 276461, effective April 13, 2021.

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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes "unprofessional conduct, crime against the law of this state or the United States, immorality, any conduct involving moral turpitude, and evident unfitness for the position for which one is employed." S.C. Code Ann. § 59-25-160 (2017); 2 S.C. Code Regs 43-58 (2017).

The State Board finds that Mr. Everett, a South Carolina educator reported for allegations of inappropriate communications with students, has committed acts of unprofessional conduct and that just cause exists to accept the voluntary surrender of Mr. Everett's South Carolina educator certificate.

Now, therefore, it is ordered that the Consent Order of Voluntary Surrender is accepted and the educator certificate of Nicholas Scott Everett, certificate 276461, is hereby declared invalid and revoked. If Mr. Everett reapplies for certification in South Carolina, he shall be, pursuant to State Board Rule BBCDB, subject to a character and

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fitness review before the State Board. The voluntary surrender and revocation of the educator certificate of Nicholas Scott Everett, certificate 276461, 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

s/Kristi Woodall
Kristi Woodall, Ed.D., Chair

Columbia, South Carolina
April 13, 2021

I, Nicholas Scott Everett, S.C. Educator Certificate 276461, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I understand that the terms set forth in this Consent Order of Voluntary Surrender are not subject to reconsideration, collateral attack or judicial review; and I hereby freely, knowingly and voluntarily surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this surrender shall have the same effect as a revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina. I understand the term 'public school' includes any public charter school, but does not include any private school. I agree to the proposed Consent Order of Voluntary Surrender, consisting of three pages, and understand that this Consent Order will be presented to the South Carolina State Board of Education on April 13, 2021. I understand this Consent Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of "s/name" for required website publication.

s/ Nicholas Scott Everett
Nicholas Scott Everett

3/22/21
Date