

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Grace K. McColgan
Certificate 296635

**McColgan Grace K Order of Summary
Suspension**

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on November 2, 2022. In accordance with S.C. Code Ann. § 1-23-370(c) (2020), § 59-5-10 (2020), 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 Grace K. McColgan, educator certificate 296635, as a result of her arrest on six felony counts of unlawful conduct toward a child, S.C. Code Ann. § 63-5-70.

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

FINDINGS OF FACT

Ms. McColgan holds a South Carolina educator certificate and has over nineteen years of educator experience. She received her SC educator certification through reciprocity with New York in 2019. At the time of her arrest, Ms. McColgan was employed as a special education teacher at Ocean Bay Elementary (School) with Horry County Schools (District). She is currently on administrative leave from the District.

On or about November 1, 2022, Ms. McColgan was arrested on six felony counts of unlawful conduct toward a child. According to arrest warrants, Ms. McColgan rubbed hand sanitizer in a student's open wound and dumped a student out of a chair. It was further alleged a student was left in a bathroom with no light for an unreasonable amount of time, hit a student's arm, and hit students on the back of their heads.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Ms. McColgan may pose a threat to the health, safety, and welfare of students who may be under her instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. McColgan'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 Ms. McColgan of the summary suspension, as well as the possible suspension or revocation of her 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 (2020); S.C. Code Ann. § 59-25-160 (2020). 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 (2020); 24 S.C. Code Regs. 43-58 (2020). In accordance with S.C. Code Ann. § 1-23-370(c) (2020), "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 (2020) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Ms. McColgan's unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, there is reason to believe Ms. McColgan may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of Grace K. McColgan, certificate number 296635, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved.

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The SCDE is directed to serve notice on Ms. McColgan of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

AND IT IS SO ORDERED.

South Carolina Board of Education

s/Alan Walters, Chair
Alan Walters, Chair

Columbia, South Carolina
November 2, 2022