

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Crystal Cumbee
Certificate 250042

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 11, 2022. On December 1, 2021, the South Carolina Department of Education (SCDE) sent Crystal Cumbee a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. The SCDE has verified Dr. Cumbee's address, the certified letter was returned unclaimed, and the letter sent via regular mail has not been returned. On July 13, 2022, the SCDE sent Dr. Cumbee a final notice. She then contacted the SCDE to confirm she would not be requesting a hearing. Under the South Carolina Rules of Civil Procedure 5(b), Dr. Cumbee has been given fair notice of constitutional due process. She has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Dr. Cumbee's educator certificate for a period of one year, retroactively commencing on October 4, 2021, and ending on October 4, 2022.

FINDINGS OF FACT

Dr. Cumbee holds a valid South Carolina professional educator certificate. She has over nine years of educator experience and no prior record of disciplinary action with the State Board. Dr. Cumbee was not working in South Carolina at the time of the incident.

On November 5, 2021, the SCDE was notified through the National Association of State Directors for Teacher Education and Certification (NASDTEC) that Dr. Cumbee's Georgia educator certificate had been suspended. The allegations stated that Dr. Cumbee tested positive for marijuana when she participated in a medical exam for a workplace injury. The injury was the result of a child scratching her and did not appear related to the drug test. During subsequent interviews, Dr. Cumbee denied using marijuana and stated she used a CBD product without realizing the product may contain cannabis. As a result of testing positive for marijuana, Dr.

Cumbee entered into a consent order with the Georgia Professional Standards Commission for the suspension of her Georgia educator certification from October 4, 2021, to October 4, 2022.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Dr. Cumbee's educator certificate 250042 for a period of one year, retroactively commencing on October 4, 2021, and ending on October 4, 2022.

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. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). The State Board finds that the evidence presented demonstrates that Dr. Cumbee engaged in unprofessional conduct by testing positive for marijuana in a drug screen. The State Board further finds that just cause exists for the suspension of Dr. Cumbee's educator certificate for a period of one year, retroactively commencing on October 4, 2021, and ending on October 4, 2022.

Now, therefore, it is hereby ordered that the educator certificate of Crystal Cumbee educator certificate 250042, is suspended for a period of one year, commencing on October 4, 2021, and ending on October 4, 2022. If Dr. Cumbee wishes to have the certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE's Office of Educator Services. Dr. Cumbee shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Dr. Cumbee's educator certificate 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/Alan Walters
Alan Walters, Chair

Columbia, South Carolina
October 11, 2022