

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Harris S. Smith
Certificate 905869

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 13, 2023. On September 28, 2021, the South Carolina Department of Education (SCDE) sent Harris S. Smith a notice via regular and certified mail of his right to a hearing regarding the pending action against his educator certificate 905869. Mr. Smith received the notice and contacted the SCDE to discuss an alternate resolution. Mr. Smith then ceased communications with the SCDE. On April 3, 2023, the SCDE sent a new notice to Mr. Smith to remind him of his rights and the SCDE's contact information. He received this notice on April 12, 2023, as evidenced by signed postal receipt. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Smith has been given fair notice of constitutional due process. He 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 Mr. Smith's educator certificate for a period of one year, commencing on June 13, 2023, and ending on June 12, 2024.

FINDINGS OF FACT

Mr. Smith holds an expired South Carolina professional educator certificate. He has over three years of educator experience and has no prior record of disciplinary action with the State Board. At the time of the incident, Mr. Smith was an auto-technology teacher at Georgetown High School (School) with the Georgetown County School District (District).

Mr. Smith was placed on administrative leave from the District on May 19, 2021, after allegations arose that he allowed students to race all terrain vehicles (ATVs) in the School's horseshoe parking lot. When questioned, Mr. Smith admitted he allowed the students to race and participated himself. He stated the racing was a reward for the students working on his

personal ATVs. Mr. Smith was previously reprimanded by the District for lack of judgement and failing to properly supervise students in his class.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Mr. Smith's educator certificate 905869 for a period of one year, commencing on June 13, 2023, and ending on June 12, 2024.

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 (Rev. 2004); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Regs. 43-58 (2016). The State Board finds that the evidence presented demonstrates that Mr. Smith engaged in unprofessional conduct by allowing students to race ATVs on school grounds. The State Board further finds that just cause exists for the suspension of Mr. Smith's educator certificate 905869 for a period of one year, commencing on June 13, 2023, and ending on June 12, 2024.

Now, therefore, it is hereby ordered that the educator certificate of Harris S. Smith, educator certificate 905869, is suspended for a period of one year, commencing on June 13, 2023, and ending on June 12, 2024.

If Mr. Smith wishes to have the certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. Mr. Smith shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Smith'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/Crystal F. Stapleton, Ed.D.
Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina
June 13, 2023