

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
and Voluntary Surrender of the)
)
Educator Certificate of)
)
Jeremy Michael Spencer,)
)
Certificate 229502)

**CONSENT ORDER OF
PERMANENT
VOLUNTARY SURRENDER
AND REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August ^{18 C/P/B} 11, 2011. On October 13, 2009, the South Carolina Department of Education (SCDE) sent Mr. Spencer a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 229502 by regular and certified mail, return receipt, restricted delivery. On November 17, 2009, Mr. Spencer contacted the SCDE and requested a hearing in this matter after the resolution of the criminal charges pending against him. On November 8, 2010, Mr. Spencer pled guilty to three counts of Assault and Battery of a High and Aggravated Nature. Prior to the hearing in this matter, Mr. Spencer informed the SCDE that he had decided to waive his right to a hearing and had agreed to the permanent voluntary surrender and revocation of his educator certificate. After reviewing the information presented, the State Board voted to accept the Consent Order of Permanent Voluntary Surrender and Revocation of Mr. Spencer's educator certificate.

Accepted

Initial

Here

6/23/11
Date

Jeremy
Michael
Spencer
229502

FINDINGS OF FACT

Mr. Spencer holds a professional South Carolina educator certificate and has three years of teaching experience. Mr. Spencer was previously employed by the Greenville County School District (District) as a teacher at J. L. Mann High School from 2007 until his resignation from employment with the District, effective October 2, 2009, following the District's investigation into allegations of Mr. Spencer's unprofessional conduct with students. The District reported this matter to the SCDE. On October 2, 2009, Mr. Spencer was arrested in Greenville, South Carolina, and charged with Criminal Sexual Conduct

with a Minor under 16 years of age, second degree, in violation of S.C. Code Ann. § 16-3-655 (Supp. 2008).

On October 13, 2009, the SCDE sent Mr. Spencer a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 229502 by regular and certified mail, return receipt, restricted delivery. After receiving the notice, Mr. Spencer contacted the SCDE on November 25, 2009, and requested a hearing in this matter after the resolution of the pending criminal charges against him. On November 8, 2010, Mr. Spencer pled guilty to three counts of Assault and Battery of a High and Aggravated Nature. Prior to the hearing in this matter, Mr. Spencer informed the SCDE that he had decided to waive his right to a hearing and had agreed to the permanent voluntary surrender and revocation of his educator certificate.

Mr. Spencer voluntarily agrees to the permanent surrender and revocation of his educator certificate 229502 and agrees to the following conditions: (1) his educator certificate will become permanently invalid immediately upon the approval by the State Board of the Consent Order of Permanent Voluntary Surrender and Revocation; (2) he may never reapply for a South Carolina educator certificate; (3) he has waived his right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review; (4) he agrees not to be employed or to volunteer as an educator, paraprofessional, aide, substitute teacher or coach in any school district in the State of South Carolina; and (5) he acknowledges that the voluntary surrender of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and revocation with the reasons stated as "unprofessional conduct, crime against the law of this state and evident unfitness for position for which employed."

CONCLUSIONS OF LAW

The State Board may, for just cause, either revoke or suspend the certificate of any person. S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann. § 59-25-160 (2004). 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 (2004)

Accepted

al

Initial

Here

6/23/11

Date

Jeremy
Michael
Spencer
229502

and 24 S.C. Code Ann. Regs. 43-58 (Supp. 2010). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Spencer engaged in unprofessional conduct with students. The State Board further finds that just cause exists to accept the permanent voluntary surrender and revocation of the educator certificate 229502 issued in the name of Jeremy Michael Spencer and to permanently render invalid Mr. Spencer's educator certificate, effective August 11, 2011. As a condition of this consent order, Mr. Spencer shall never be eligible to apply for an educator certificate in South Carolina. Mr. Spencer has waived his right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review.

Now, therefore, it is hereby ordered that the Consent Order of Permanent Voluntary Surrender and Revocation of the educator certificate of Jeremy Michael Spencer, certificate 229502 is accepted. The permanent voluntary surrender and revocation of Mr. Spencer's educator certificate 229502 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct, crime against the law of this State and evident unfitness for position for which employed."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: Gerrita Postlewait
Gerrita Postlewait, Chair

Columbia, South Carolina
August 11, 2011

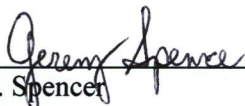
Accepted

Initial
Here

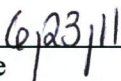
Date
6/23/11

Jeremy
Michael
Spencer
229502

I, Jeremy Michael Spencer, S.C. Educator Certificate 229502, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I hereby freely, knowingly and voluntarily permanently surrender my educator certificate to the South Carolina State Board of Education. 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 as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, or coach in any public school in the State of South Carolina. I agree to the proposed Consent Order of Permanent Voluntary Surrender and Revocation, consisting of four pages, and understand that this Order will be presented for approval to the South Carolina State Board of Education on August 11, 2011.



Jeremy M. Spencer



Date