

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
William Albert Brown,)
Certificate 239229)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on May 21, 2012. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), 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 William Albert Brown, certificate 239229, as a result of his being arrested on May 11, 2012, in Dorchester County, South Carolina, and being charged with Assault and Battery 2nd Degree, S.C. Code Ann. § 16-3-600(D)(1) (Supp. 2011) and Criminal Solicitation of a Minor, S.C. Code Ann. § 16-15-342 (Supp. 2011). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Brown may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Brown'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 Mr. Brown of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Brown holds a professional South Carolina educator certificate and has eighteen years of teaching experience. Mr. Brown was employed by the Dorchester County School District Two (District) as an English teacher at Charles B. Dubose Middle School. The District placed Mr. Brown on administrative leave, with pay, effective May 10, 2012, following the District's receipt of allegations that Mr. Brown had participated in obscene communications with a student and had assaulted a student.

Mr. Brown was arrested on May 11, 2012, in Dorchester County, South Carolina, and charged with Assault and Battery 2nd Degree, S.C. Code Ann. § 16-3-600(D)(1) (Supp. 2011) and Criminal Solicitation of a Minor, S.C. Code Ann. § 16-15-342 (Supp. 2011). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Brown may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Brown'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 Mr. Brown of the summary suspension, as well as the possible suspension or revocation of his 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 (2004). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2011). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "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 (2004) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Brown's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and his arrest for Assault and Battery 2nd Degree, S.C. Code Ann. § 16-3-600(D)(1) (Supp. 2011) and Criminal Solicitation of a Minor, S.C. Code Ann. § 16-15-342 (Supp. 2011), there is reason to believe that Mr. Brown may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of William Albert Brown, certificate 239229, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Brown of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

By: *Dennis Thompson, Jr.*

Columbia, South Carolina

May 21, 2012