

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Michael Paul Waters,)
Certificate 186459)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on December 20, 2013. 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 Michael Paul Waters, certificate 186459, as a result of allegations that he engaged in an inappropriate relationship of a sexual nature with a female student in Aiken, South Carolina.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Waters 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. Waters' 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. Waters' of the summary suspension, as well as, the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Waters holds a professional South Carolina educator certificate and has sixteen years of teaching experience. Mr. Waters has been employed by the Aiken County School District (District) since August 6, 2002. He has been teaching economics and geography at South Aiken High School (School). In addition to teaching, Mr. Waters has coached football and soccer at the School.

On December 13, 2013, the District was notified of an allegation of an inappropriate relationship between Mr. Waters and a female student at the School and began investigating the matter. On December 13, 2013, the District immediately placed Mr. Waters on administrative leave and notified the Aiken Department of Public Safety. The Aiken Department of Public

Safety initiated an investigation. On December 18, 2013, Mr. Waters was arrested and charged with five counts of Sexual Battery with a Student pursuant to S.C. Code Ann. §16-3-755 (B) (Cum. Supp 2013). According to the arrest warrants, the sixteen year old student and Mr. Waters engaged in a sexual relationship on multiple occasions through the months of August 2013 and December 2013 at the School.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Waters 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. Waters' 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. Waters 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, dishonesty, immorality, any conduct involving moral turpitude, 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 Mr. Waters' inappropriate relationship of a sexual nature with a female student, he has engaged in unprofessional conduct, dishonesty, immorality, conduct involving moral turpitude, crime against the law of this state, and demonstrated evident unfitness for position for which employed. The Chair also finds that there is reason to believe that Mr. Waters' may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Michael P. Waters, certificate 186459, 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. Waters of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 

Barry F. Bolen, Chair

Columbia, South Carolina
December 20, 2013