

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Chris John Petrasek)
)
Certificate 233825)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 8, 2013. In accordance with S.C. Code Ann. § 1-23-370(c) (2005), and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended the educator certificate of Chris John Petrasek, certificate 233825, on December 21, 2011, following his arrest on November 30, 2011, on criminal charges pursuant to S.C. Code Ann. § 16-3-600(E)(2) (Supp. 2010). On December 22, 2011, the South Carolina Department of Education (SCDE) sent notice to Mr. Petrasek of the summary suspension and his right to a hearing by certified mail, return receipt, restricted delivery and first class mail. On December 27, 2011, Mr. Petrasek received the notice as evidenced by a postal receipt bearing his signature. Mr. Petrasek did not request a hearing within the time period specified in the notice and is in default. On January 9, 2013, Mr. Petrasek entered a plea of nolo contendere to warrant number J-157847 for Assault and Battery, third degree, in the Magistrate's Court, York County, South Carolina.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Petrasek's educator certificate.

FINDINGS OF FACT

Mr. Petrasek holds a professional South Carolina educator certificate that is currently suspended and has five years of teaching experience. Beginning in 2007, the Clover School District Two of York County (District) employed Mr. Petrasek as a math teacher at Oakridge Middle School and as a wrestling coach. The District placed Mr. Petrasek on administrative leave on November 29, 2011, during an investigation into

allegations of Mr. Petrasek's unprofessional conduct involving students. He resigned from the District, effective January 1, 2012, following an investigation by the District and the York County Sheriff's Office concerning allegations that Mr. Petrasek had engaged in unprofessional conduct when he violated District policy and struck students on their buttocks, causing pain and embarrassment, for students who had allegedly misbehaved at the school. District policy expressly prohibits the use of corporal punishment to discipline students. The investigation resulted in Mr. Petrasek's arrest on November 30, 2013, and being charged with Assault and Battery, third degree pursuant to S.C. Code Ann. § 16-3-600 (E)(2) (Supp. 2010).

On December 21, 2011, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004) and State Board Rule of Governance, the Chair of the State Board summarily suspended Mr. Petrasek's educator certificate 233825, as a result of his arrest on November 30, 2011. On December 22, 2011, the SCDE sent notice to Mr. Petrasek of the summary suspension and his right to a hearing by certified mail, return receipt, restricted delivery and first class mail. On December 27, 2011, Mr. Petrasek received the notice as evidenced by a postal receipt bearing his signature. Mr. Petrasek did not request a hearing within the time period specified in the notice and is now in default.

On January 9, 2013, Mr. Petrasek entered a plea of nolo contendere to warrant number J-157847 for Assault and Battery, third degree, in the Magistrate's Court (Court), York County, South Carolina. The Court found that Mr. Petrasek had pulled the hair of a student two times and had spanked him one time. The Court further found that Mr. Petrasek had become angry with another student and told the student to lay across his lap while he spanked the student with his hand. On numerous other occasions, Mr. Petrasek made the student bend over and grab his knees while Mr. Petrasek used his hands to strike the student twice on his buttocks. The Court noted that Mr. Petrasek's plea of nolo contendere to warrant J-157847 would result in his name being entered onto the Central Registry of Child Abuse and Neglect according to S.C. Code Ann. § 17-25-135 (Rev. 2003).

After considering the evidence presented, the State Board voted to permanently revoke Mr. Petrasek's educator certificate.

CONCLUSIONS OF LAW

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004), and may, for just cause, either revoke or suspend the certificate of any person. S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004), 24 S.C. Code Regs. 43-58 (2011). Just cause includes unprofessional conduct, cruelty, 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 Regs. 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Petrasek engaged in unprofessional conduct, cruelty, committed a crime against the law of this state, and demonstrated an evident unfitness for teaching resulting from his aforementioned conduct with students and his plea of Nolo Contendere to warrant number J-157847 for Assault and Battery, third degree with the Magistrate's Court, York County, South Carolina on January 9, 2013. This evidence presented supports the State Board's decision to permanently revoke the educator certificate of Chris John Petrasek, certificate 233825, effective May 8, 2013.

Now, therefore, it is hereby ordered that the educator certificate of Chris John Petrasek, certificate 233825, is hereby permanently revoked. The permanent revocation of this 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


By: David W. Blackmon, Ph.D., Chair

Columbia, South Carolina
May 8, 2013