

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of) **CONSENT ORDER OF SUSPENSION**
)
Douglas Malcolm Brandon)
)
Certificate 113007)
_____)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 11, 2013. On August 2, 2013, the South Carolina Department of Education (SCDE) sent notice to Mr. Douglas Malcolm Brandon that the State Board would meet to make a determination regarding disciplinary action of his South Carolina educator certificate and his right to a hearing in this matter. SCDE sent the notice by certified and regular mail, return receipt requested. On August 3, 2013, Mr. Brandon received the notice, as evidenced by a return receipt bearing his signature. Mr. Brandon contacted the SCDE and informed the SCDE that he had agreed to waive his right to a hearing and desired to pursue an alternative resolution to this matter. Mr. Brandon has agreed to the suspension of his educator certificate for a period of two years. After reviewing the evidence presented, the State Board voted to accept the Consent Order of Suspension suspending Mr. Brandon's educator certificate 113007 for a period of two years, commencing on September 11, 2013, and ending on September 10, 2015, subject to the terms specified herein.

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FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004) and § 59-25-160 (2004). Mr. Brandon holds a professional South Carolina educator certificate and has thirty four years of teaching experience. Mr. Brandon had been employed by Richland School District One since 1995. Since 1996, the District employed Mr. Brandon as a second grade teacher at Rosewood Elementary School (School). In 2012, the District selected Mr. Brandon as Teacher of the Year for the

School. Mr. Brandon retired from the District effective July 30, 2012, following complaints from some parents that Mr. Brandon had allowed two female students to sit on his lap before class. Mr. Brandon had previously been warned about being too friendly with students. He admitted that he had allowed the girls to sit on his lap and that he knew this behavior was unprofessional.

On August 2, 2013, the SCDE sent notice to Mr. Brandon that the State Board would meet to make a determination regarding disciplinary action of his South Carolina educator certificate and his right to a hearing in this matter. SCDE sent the notice by certified and regular mail, return receipt requested. On August 3, 2013, Mr. Brandon received the notice, as evidenced by a return receipt bearing his signature. Mr. Brandon contacted the SCDE and informed the SCDE that he had agreed to waive his right to a hearing and desired to pursue an alternative resolution to this matter. Mr. Brandon agrees to the Consent Order of Suspension of his South Carolina educator certificate 113007 commencing on September 11, 2013, and ending on September 10, 2015, and acknowledges that 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.

After reviewing the evidence presented, the State Board voted to accept the Consent Order of Suspension suspending Mr. Brandon's educator certificate 113007 for a period of two years, commencing on September 11, 2013, and ending on September 10, 2015, subject to the terms specified herein.

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). Just cause includes, *inter alia*, "unprofessional conduct." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (2011). The State Board finds that the evidence presented, which is undisputed by Mr. Brandon, supports its conclusion that Mr. Brandon has engaged in unprofessional conduct by allowing two students to sit on his lap before school after he had been previously warned about being too friendly with students. The State Board finds that just cause exists to suspend the educator certificate of Douglas Malcolm Brandon, certificate 113007, for a period of two years, beginning on September 11, 2013, and ending on

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September 10, 2015. During the period of suspension, Mr. Brandon shall not volunteer or be employed, in any capacity, in any South Carolina school district.

NOW THEREFORE, it is ordered that the State Board accepts the Consent Order of Suspension and the educator certificate of Douglas Malcolm Brandon, certificate 113007, is hereby suspended. The suspension of Mr. Brandon's educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a two year suspension, commencing September 11, 2013, and ending on September 10, 2015.

If Mr. Brandon wishes to have his educator certificate reinstated at the end of the suspension period, he must make a written request to the SCDE's Office of Educator Services. Mr. Brandon agrees that he shall be responsible for providing the SCDE with documentation listed in State Board Rule BBCDB, items one through six, and for meeting all current certification requirements. Mr. Brandon will also be responsible for paying a reinstatement fee.

AND IT IS SO ORDERED.

South Carolina State Board of Education

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

Columbia, South Carolina
September 11, 2013

I, Douglas Malcolm Brandon, S.C. Educator Certificate 113007, understand that there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I hereby freely, knowingly and voluntarily enter into this Consent Order of Suspension. I agree that during the suspension period, I will not serve as a volunteer or be employed in any capacity, as an educator, paraprofessional, aide, substitute teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the terms of the Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board of Education on September 11, 2013.

Douglas Malcolm Brandon
Douglas Malcolm Brandon

8/20/13
Date