

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension )  
 )  
of the Educator Certificate )  
 )  
of Mark Burhans )  
 )  
Certificate 251604 )  
\_\_\_\_\_ )

**ORDER OF SUSPENSION  
(Failure to meet ADEPT Requirements)**

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on September 11, 2013. On June 27, 2013, the South Carolina Department of Education's (SCDE) Office of Educator Evaluation sent Ms. Mark Burhans notice of his failure to meet the requirements of his ADEPT formal evaluation via certified mail. On July 16, 2013, Mr. Burhans received the notice as evidenced by a signed, return receipt. Pursuant to 2 S.C. Reg. 43-58 (2011), 2 S.C. Reg. 43-205.1 (2011), and the ADEPT System Guidelines (2006), a second unsuccessful ADEPT formal evaluation at the annual-contract level requires that Mr. Burhans's South Carolina teaching certificate be automatically suspended for a minimum of two years. After considering the information presented by the SCDE, the State Board voted to suspend Mr. Burhans's certificate for a minimum of two years, beginning September 11, 2013, and ending September 10, 2015.

**FINDINGS OF FACT**

Mr. Burhans holds a South Carolina educator certificate and has three years of teaching experience. The Pickens County School District's annual ADEPT report to the Office of Instructional Practices and Evaluation indicated that Mr. Burhans was unsuccessful in meeting the requirements of his ADEPT formal evaluation for the 2012-2013 school year. This was Mr. Burhans's second unsuccessful ADEPT evaluation at the annual-contract level.

On June 27, 2013, the SCDE's Office of Instructional Practices and Evaluation sent Mr. Burhans notice of his failure to meet the requirements of his ADEPT formal evaluation for the second time via certified mail. On July 16, 2013, Mr. Burhans received the notice as evidenced by a signed, return receipt.

### **CONCLUSIONS OF LAW**

The State Board will automatically suspend for a minimum of two years the certificate of an annual-contract teacher who for the second time fails to meet ADEPT formal evaluation criteria. S.C. Code Ann. § 59-5-60 (2004); 2 S.C. Reg. 43-58 (2011), 2 S.C. Reg. 43-205.1 (2011). The State Board finds that sufficient evidence has been presented supporting its conclusion that Mr. Burhans failed to meet ADEPT formal evaluation criteria for a second time, warranting the suspension of his certificate for a minimum period of two years, commencing on September 11, 2013, through September 10, 2015. An "ineligible for hire" indicator will be placed in Mr. Burhans's certification file with the Office of Instructional Practices and Evaluation and will not be removed prior to September 10, 2015.

Before reentry into the profession and removal of the suspension, Mr. Burhans must complete a state-approved remediation plan based on the area(s) that were identified as deficiencies during the formal evaluation process. Remediation plans must be developed and implemented in accordance with the State Board's ADEPT implementation guidelines. Following the minimum two-year suspension period and the completion of the remediation plan, as verified by the Office of Instructional Practices and Evaluation, Mr. Burhans's educator certificate suspension will be lifted and Mr. Burhans will be eligible for employment at the annual-contract level. All fees and eligibility requirements that are in effect at the time of Mr. Burhans's reapplication will apply.

### **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