

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Elizabeth Marie Moss,)
Certificate 232269)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on February 24, 2014. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (Rev. 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 Elizabeth Marie Moss, certificate 232269, as a result of allegations that she engaged in inappropriate communications with students and unprofessional conduct with a student.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mrs. Moss may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mrs. Moss' 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 Mrs. Moss of the summary suspension, as well as, the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Mrs. Moss holds a professional South Carolina educator certificate and has three years of teaching experience in South Carolina. Mrs. Moss has been employed by the Sumter County School District (District) since January 16, 2013. During the 2013-2014 school year, the District employed Mrs. Moss as the Choir teacher at Chestnut Oaks Middle School (School). The District placed Mrs. Moss on administrative leave on February 11, 2014, as a result of an investigation into allegations that Mrs. Moss engaged in inappropriate communications with students. The District immediately reported these allegations to law enforcement.

On February 19, 2014, the Sumter County Sheriff's Department arrested Ms. Moss and charged her with 2nd degree criminal sexual contact with a minor, second degree, pursuant to S.C. Code Ann. § 16-3-655 (B) (1) (Cum. Supp. 2013) as a result of allegations that she engaged

in sexual battery with a male minor (age 13) who was a student at the School. Ms. Moss was also subsequently charged with Contributing to the Delinquency of a Minor pursuant to S.C. Code Ann. § 16-17-490 (Rev. 2003) and Assault & Battery, second degree pursuant to S.C. Code Ann. § 16-3-600 (D) (1) (Cum. Supp. 2013) as a result of allegations of her conduct with the male minor who was a student at the School.

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mrs. Moss may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mrs. Moss' 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 Mrs. Moss of the summary suspension, as well as the possible suspension or revocation of her 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 (Rev. 2004). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (Rev. 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 Mrs. Moss' inappropriate communications and physical contact of a sexual nature with a male minor student, she has engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and demonstrated evident unfitness for position for which employed. The Chair also finds that there is reason to believe that Mrs. Moss may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Elizabeth Marie Moss, certificate 232269, 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 Mrs. Moss of the summary suspension, as well as, the possible suspension or revocation of her educator certificate. The suspension of Mrs. Moss' educator certificate 232269

Moss, Elizabeth Marie, Certificate 232269
Order of Summary Suspension
February 24, 2014
Page 3

shall be immediately reported to the NASDTEC Clearinghouse and all South Carolina school districts.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Barry F. Bolen, Chair

Columbia, South Carolina
February 24, 2014