

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator)
)
Certificate of Emme L. Yeargin)
)
Certificate 240047)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 11, 2014. On February 19, 2014, the South Carolina Department of Education (SCDE) sent notice to Emme L. Yeargin of the possible suspension of her educator certificate by regular and certified mail, return receipt requested. After receiving the notice, Ms. Yeargin contacted the SCDE and informed the SCDE that she had agreed to waive her right to a hearing and accept a one year period of suspension of her educator certificate. After considering the information presented by the SCDE, the State Board voted to suspend Ms. Yeargin's certificate for one year, commencing on June 11, 2014, and ending on June 10, 2015.

FINDINGS OF FACT

Ms. Yeargin holds a valid South Carolina professional educator certificate and has over five years of teaching experience. She has no prior record of disciplinary action with the State Board.

Ms. Yeargin had been employed by Anderson County School District Five (District) since May 2011 as an English/AVID Teacher at Westside High School (School) until she resigned on November 18, 2013, following an investigation into allegations that Ms. Yeargin may possibly have been using drugs. When confronted with the allegations, Ms. Yeargin agreed to have a drug screening test administered and the test results were positive. After receiving the drug test results, Ms. Yeargin resigned from her position with the District, effective November 18, 2013.

Ms. Yeargin acknowledges that she has engaged in unprofessional conduct. She waives her right to a hearing and understands that the terms set forth are not subject to

Accepted:
Emme L.
Yeargin
240047


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reconsideration, collateral attack or judicial review. Ms. Yeargin consents to the suspension of her educator certificate for a period of one year and agrees that she will not be employed or volunteer, in any capacity, in any school district in South Carolina. Ms. Yeargin also agrees to participate in a drug treatment program and to comply with the conditions of this Order. During the period of suspension, Ms. Yeargin agrees to submit to monthly drug urine screens and have the testing company send the results directly to SCDE.

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); 24 S.C. Code Ann. Regs. 43-58 (2011). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-2-160 (Rev. 2004). The State Board finds that the evidence presented, which is undisputed by Ms. Yeargin, demonstrates that Ms. Yeargin engaged in unprofessional conduct, as a result of testing positive on a drug screen and that just cause exists to suspend Ms. Yeargin’s educator certificate. The evidence presented supports the State Board’s decision to accept the Consent Order of Suspension.

Now, therefore, it is hereby ordered that the Consent Order of Suspension is accepted and the educator certificate of Emme L. Yeargin, certificate 240047, is hereby suspended for a period of one year, commencing on June 11, 2014, and ending on June 10, 2015. The suspension of Ms. Yeargin’s educator certificate 240047 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order. Ms. Yeargin shall complete a drug treatment program and comply with all recommended treatment. She shall also submit to monthly drug urine screens and have the results sent directly from the testing company to SCDE. If Ms. Yeargin fails any drug screen or fails to submit test results, the SCDE may request that the State Board revoke her educator certificate.

If Ms. Yeargin desires to have her educator certificate reinstated at the conclusion of the suspension period, she shall make a written request to the SCDE’s Office of Educator Services. Ms. Yeargin must also meet all certification requirements in effect at

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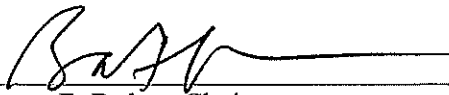

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the time she requests reinstatement and shall be responsible for the payment of all applicable reinstatement fees.

AND IT IS SO ORDERED.

South Carolina State Board of Education

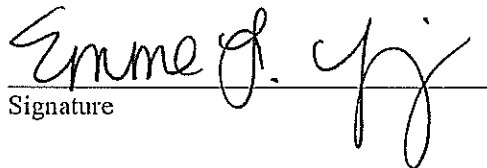


Barry F. Bolen, Chair

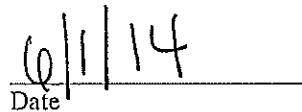
Columbia, South Carolina

June 11, 2014

I, Emme L. Yeargin, S.C. Educator Certificate 240047, have read the Consent Order of Suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I also agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina during this suspension period. I agree to the proposed Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented as signed to the South Carolina State Board of Education on June 11, 2014.



Signature



Date