

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Donald Wayne Blair,)
Certificate 904329)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on August 23, 2016. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (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 Donald Wayne Blair, certificate 904329, as a result of his arrest on or about August 22, 2016, in Goose Creek, South Carolina, and being charged with one felony count of Criminal Sexual Conduct with a Minor, 3rd degree §16-03-655(C) (2006). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Blair may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Blair's 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 Mr. Blair of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Blair holds a professional South Carolina educator certificate and has over twelve years of teaching experience. Mr. Blair began employment with the Berkeley County School District (District) in 2002 as an Industrial Technology teacher at Goose Creek High School (School). On May 27, 2004, he resigned from the District. The District rehired Mr. Blair as a classroom assistant on November 25, 2005. He resigned from his position on May 26, 2006. Since August 7, 2006, Mr. Blair has been employed by the District as an Industrial Technology teacher at the School. The District placed Mr. Blair on administrative leave on August 12, 2016,

following allegations that he had a sexual relationship with a minor female student at the School who was fifteen years old.

Mr. Blair was arrested on or about August 22, 2016, in the city of Goose Creek, South Carolina, and charged with one count of Criminal Sexual Conduct with a Minor, 3rd degree §16-03-655(C) (2006), a felony offense. It is alleged that Mr. Blair engaged in an inappropriate relationship of a sexual nature with a minor fifteen year old female who was a student at the School. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Blair may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Blair's 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 Mr. Blair of the summary suspension, as well as the possible suspension or revocation of his 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 (2004). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, 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 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 the allegation of Mr. Blair's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for the position for which employed and his arrest on the felony charge of Criminal Sexual Conduct with a Minor, 3rd degree, there is reason to believe that Mr. Blair may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Donald Wayne Blair, certificate 904329, 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 Mr.

Blair of the summary suspension, as well as the possible suspension or revocation of his educator certificate. The suspension of Mr. Blair's educator certificate 904329 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: _____

Michael R. Brennan, Chair

Columbia, South Carolina
August 23, 2016