

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Bobby C. Waters)
)
Certificate 244100)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 9, 2016. On June 30, 2016, the South Carolina Department of Education (SCDE) sent notice to Mr. Waters informing him that the State Board would meet to make a determination regarding the possible suspension of his educator certificate by regular and certified mail, return receipt requested. Mr. Waters received the notice on July 5, 2016, and informed SCDE that he desired to waive his right to a hearing in this matter. He has agreed to enter into a Consent Order of Suspension of his educator certificate 244100. After considering the evidence presented, the State Board voted to suspended Mr. Waters' educator certificate for a period of one year commencing on August 9, 2016, and ending on August 8, 2017.

FINDINGS OF FACT

Ms. Waters holds a valid South Carolina educator certificate and has six years of professional teaching experience. He had been with the Spartanburg County School District Five (District) since 2009. During the 2014-2015 school year, the District employed Mr. Waters as a teacher at D. R. Hill Middle School.

On May 29, 2015, a female student reported to the administration that Mr. Waters had allegedly grabbed her wrist and pushed her out of his classroom. Two witnesses observed the incident and a surveillance video supported the student's allegation. Although Mr. Waters disputed the interpretation of the surveillance video, he admitted he reacted after the student pushed his classroom door open and the door hit his head. After being advised that he would be recommended for termination, the District allowed Mr.

Bobby C.
Waters
244100

BCW

Initial Here

7.20.16
Date

Waters to resign from the District, effective June 1, 2015. The District subsequently reported this matter to the SCDE.

On June 30, 2016, the SCDE sent notice to Mr. Waters informing him that the State Board would meet to make a determination regarding the possible suspension of his educator certificate by regular and certified mail, return receipt requested. Mr. Waters received the notice on July 5, 2016, and informed SCDE that he desired to waive his right to a hearing in this matter and enter into an alternative resolution of this matter. He has agreed to enter into a Consent Order of Suspension of his educator certificate 244100, for one year. After considering the evidence presented, the State Board voted to suspend Mr. Waters' educator certificate for a period of one year commencing on August 9, 2016, and ending on August 8, 2017.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Waters engaged in unprofessional conduct as a result of the inappropriate physical force used against a female student. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Bobby C. Waters on the grounds of unprofessional conduct for a period of one year commencing on August 9, 2016, and ending on August 8, 2017.

Now, therefore, it is hereby ordered that the educator certificate of Bobby C. Waters, certificate 244100, is suspended for a period of one year commencing on August 9, 2016, and ending on August 8, 2017. If Mr. Waters wishes to have his certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. Mr. Waters shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Waters' educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

Bobby C.
Waters
244100

BCW

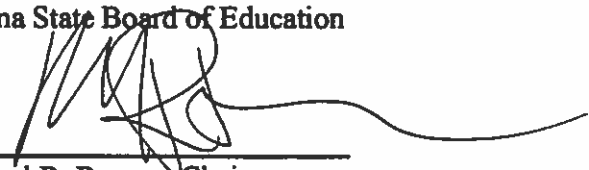
Initial Here

7.20.16

Date

AND IT IS SO ORDERED.

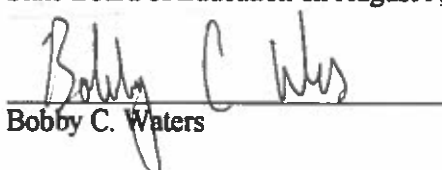
South Carolina State Board of Education

By: 

Michael R. Brennan, Chair

Columbia, South Carolina
August 9, 2016

I, Bobby C. Waters, S.C. Educator Certificate 244100, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review. I hereby freely, knowingly and voluntarily agree to the suspension of my educator certificate by the South Carolina State Board of Education. I agree to the proposed Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on August 9, 2016.


Bobby C. Waters

7.20.16
Date