

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Permanent)
Voluntary Surrender of the)
Educator Certificate of)
Joel M. Mitchell,)
Certificate 234671.)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2017. On June 6, 2017, the South Carolina Department of Education (SCDE) was informed that Mr. Mitchell had agreed to permanently surrender his South Carolina educator certificate as part of an agreement with the Second Judicial Circuit Solicitor's Office (Solicitor). The Solicitor notified the SCDE that Mr. Mitchell has agreed to waive notice and his right to a hearing in this matter. Mr. Mitchell has agreed to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 234671, effective August 8, 2017.

FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2016) and S.C. Code Ann. § 59-25-160 (2016).

Mr. Mitchell holds a professional South Carolina educator certificate and has eight years of teaching experience. He had been employed by the Williston County School District Twenty-Nine (District) since July 1, 2014, as the principal at Williston Elko High School (School). The District placed Mr. Mitchell on administrative leave on May 17, 2016, after Mr. Mitchell informed the District Superintendent that local law enforcement had contacted him regarding allegations of potential criminal charges.

On June 16, 2016, in accordance with S.C. Code Ann. § 1-23-370(c) (2016), § 59-5-10 (2016), and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended Mr. Mitchell's educator certificate 234671, as a result of his arrest on May 23, 2016, in Barnwell, South Carolina. Mr. Mitchell was charged with Assault and Battery, 1st degree, a felony offense, pursuant to S.C. Code Ann. §16-03-600(C)(1)

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(2015). It was alleged that Mr. Mitchell engaged in conduct inappropriate for a principal of a public high school. This conduct involved an adult female who was present at the School after school hours. He resigned from his employment with the District, effective June 30, 2016.

Mr. Mitchell's attorney has informed the SCDE that Mr. Mitchell desires to waive notice and his right to a hearing and enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 234671, effective August 8, 2017. This order will be part of an agreement Mr. Mitchell is entering into with the Second Circuit Solicitor's Office.

Mr. Mitchell agrees to the permanent surrender of his South Carolina educator certificate 234671 subject to the following conditions: (1) his educator certificate will become permanently invalid and permanently revoked immediately upon the approval by the State Board of the Consent Order of Permanent Voluntary Surrender; (2) he has waived his right to notice and a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the permanent surrender of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and permanent revocation.

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 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes "unprofessional conduct, immorality, and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2016); 2 S.C. Code Regs 43-58 (2016). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Mitchell engaged in unprofessional conduct, immorality, and demonstrated evident unfitness for position for which employed as a result of his inappropriate conduct with an adult female on School grounds after school hours.

The evidence presented supports the State Board's decision to accept the Consent Order of Permanent Voluntary Surrender of educator certificate 234671, issued under the

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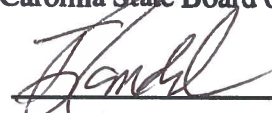
name of Joel M. Mitchell, and to permanently revoke and render permanently invalid Mr. Mitchell's educator certificate effective August 8, 2017.

Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of Joel M. Mitchell, certificate 234671, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and revocation of the educator certificate of Joel M. Mitchell, certificate 234671 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By:


Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
August 8, 2017

I, Joel M. Mitchell, S.C. Educator Certificate 234671, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; and I hereby freely, knowingly and voluntarily permanently surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this permanent surrender shall have the same effect as a permanent revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I 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. I agree to the proposed Consent Order of Permanent Voluntary Surrender, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on August 8, 2017.


Joel M. Mitchell

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Date