

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of Revocation
of the Educator Certificate of
Jose Ramon Dubon Tovar,
Certificate 266296

)
)
)
)
)
)
)

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered the matter on November 14, 2017. On August 9, 2017, the South Carolina Department of Education (SCDE) sent notice letters to Jose Ramon Dubon Tovar (also known as Mr. Dubon), informing him that the State Board would meet to make a determination regarding the possible disciplinary action of his educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Dubon has received the notice, has evidenced by signed postal receipt. He has not responded or requested a hearing in this matter and is in default. After considering the evidence presented, the State Board voted to suspend Mr. Dubon's educator certificate for a period of one calendar year, commencing on November 14, 2017, and ending on November 13, 2018. Mr. Dubon will also be required to complete SCDE approved classroom management training before requesting the reinstatement of his educator certificate.

FINDINGS OF FACT

Mr. Dubon holds a valid South Carolina professional educator certificate and has over fifteen years of teaching experience. The Darlington County School District (District) employed Mr. Dubon as a music teacher at the Thornwell School for the Arts (School). The District placed Mr. Dubon on administrative leave on March 8, 2017, after his inappropriate display of anger in front of his students. He subsequently resigned from the District on June 2, 2017.

During the 2016-2017 school year Mr. Dubon received several reprimands for his unprofessional behavior. Mr. Dubon failed to report his absences from school several times and continued that behavior after being disciplined by the District. Mr. Dubon missed deadlines for entering grades in the Power Teacher system and failed to adhere to the after-school music practice schedule, resulting in the termination of the after-school music practice program.

Mr. Dubon repeatedly disregarded instructions to treat students in a respectful manner. On March 7, 2017, he began yelling and making disparaging remarks towards specific students and the class as a whole. According to student accounts, Mr. Dubon had started the day in an angry mood. Mr. Dubon claimed his medication and the pollen outside were making him mad. He stated that he was rich, did not need the money for his job, did not care if he was fired, and did not want to be at school. He called the students arrogant, obnoxious, and stupid. During this incident, a student walked in late with a pass from another teacher. Mr. Dubon refused to allow the student to enter the room. The student went to the front office and administration reported to Mr. Dubon's room to defuse the situation.

On June 1, 2017, the District informed the SCDE that Mr. Dubon had resigned from his employment with the District, effective June 2, 2017. After considering the evidence presented, the State Board voted to suspend Mr. Dubon's educator certificate for a period of one calendar year, commencing on November 14, 2017, and ending on November 13, 2018. Mr. Dubon will also be required to complete SCDE approved classroom management training before requesting his license be reinstated.

CONCLUSIONS OF LAW

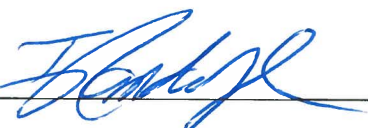
"The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016). The State Board finds that the evidence presented demonstrates Mr. Dubon engaged in unprofessional conduct as a result of his inappropriate and unprofessional conduct towards and in the presence of students and coworkers during his employment with the District, as well as his continued violations of District policy. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Jose Ramon Dubon Tovar, Educator Certificate 266296, for a period of one calendar year, commencing on November 14, 2017, and ending on November 13, 2018. Mr. Dubon will also be required to complete SCDE approved classroom management training before requesting the reinstatement of his educator certificate.

If Mr. Dubon wishes to have his educator certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator Services

and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Dubon shall also be responsible for the payment of the applicable reinstatement fee. The suspension of Mr. Dubon's Educator Certificate 266296 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
November 14, 2017