

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
James Otis Gist)
)
Certificate 281038)
_____)

**ORDER OF SUSPENSION
(Failure to meet ADEPT Requirements)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 14, 2018. On July 2, 2018, the South Carolina Department of Education's (SCDE) Office of Educator Effectiveness sent James Otis Gist notice of his failure to meet the requirements of his ADEPT formal evaluation via regular and certified mail. Pursuant to S.C. Reg. 43-58 (2017), S.C. Reg. 43-205.1 (2017), and the ADEPT System Guidelines (2018), a second unsuccessful ADEPT formal evaluation at the annual-contract level requires that Mr. Gist's South Carolina teaching certificate be automatically suspended for a minimum of two years. On July 20, 2018, Mr. Gist verified to the Office of General Counsel that he had received the notice letter. After considering the information presented by the SCDE, the State Board voted to suspend Mr. Gist's certificate for a minimum of two years, beginning August 14, 2018, and ending August 13, 2020, provided that Mr. Gist successfully completes a state-approved remediation plan.

FINDINGS OF FACT

Mr. Gist holds a South Carolina educator certificate and has fifteen years of teaching experience. The Richland Two County School District annual ADEPT report to the Office of Educator Effectiveness indicated that Mr. Gist was unsuccessful in meeting the requirements of his ADEPT formal evaluation for the 2017-2018 school year. This was Mr. Gist's second unsuccessful ADEPT evaluation at the annual-contract level.

CONCLUSIONS OF LAW

The State Board will automatically suspend for a minimum of two years the certificate of an annual-contract teacher who for the second time fails to meet ADEPT formal evaluation criteria. S.C. Code Ann. § 59-5-60 (2004); S.C. Reg. 43-58 (2017), S.C. Reg. 43-205.1 (2017). The State Board finds that sufficient evidence has been presented supporting its conclusion that Mr. Gist failed to meet ADEPT formal evaluation criteria for a second time, warranting the suspension of

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his certificate for a minimum period of two years, commencing on August 14, 2018, through August 13, 2020, provided that Mr. Gist successfully completes a state-approved remediation plan. An "ineligible for hire" indicator will be placed in Mr. Gist's certification file with the Office of Educator Services and will not be removed prior to August 13, 2020, provided that he successfully completes a state-approved remediation plan.

Before reentry into the profession and removal of the suspension, Mr. Gist must complete a state-approved remediation plan based on the areas that were identified as deficiencies during the formal evaluation process. Remediation plans must be developed and implemented in accordance with the State Board's ADEPT implementation guidelines. Following the minimum two-year suspension period and the completion of the remediation plan, as verified by the Office of Educator Services, Mr. Gist's educator certificate suspension will be lifted and Mr. Gist will be eligible for employment at the annual-contract level. All fees and eligibility requirements that are in effect at the time of Mr. Gist's reapplication will apply.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Sharon Wall Ed.D., Chair

Columbia, South Carolina
August 14, 2018