

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Floyd Edmund White,)
Educator Certificate 257924)
_____)

ORDER OF

SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on December 7, 2018. In accordance with S.C. Code Ann. § 1-23-370(c) (2016), § 59-5-10 (2016), 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 Floyd Edmund White, educator certificate 257924, as a result of his arrest on the felony count of possession with intent to distribute cocaine, S.C. Code Ann. §44-53-370(b)(1) (2017) and the felony count of possession with intent to distribute marijuana, S.C. Code Ann. §44-53-370(b)(2) (2017). Mr. White was also charged with two misdemeanor counts of possession of a controlled substance, S.C. Code Ann. §44-53-370(d)(2) (2017).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. White may pose a threat to the health, safety, and welfare of students, who 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. White'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. White of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. White holds a professional South Carolina educator certificate and has over six years of educator experience. Mr. White is employed by School District Five of Lexington and

Richland Counties (District) and served as an assistant principal at Dutch Fork High School (School). The District has placed Mr. White on administrative leave following his arrest.

On or about November 29, 2018, the Richland County Sheriff's Office charged Mr. White with the felony count of possession with intent to distribute cocaine, S.C. Code Ann. §44-53-370(b)(1) (2017) and the felony count of possession with intent to distribute marijuana, S.C. Code Ann. §44-53-370(b)(2) (2017). Mr. White was also charged with two misdemeanor counts of possession of a controlled substance, S.C. Code Ann. §44-53-370(d)(2) (2017). Law enforcement received information that narcotics were located in Mr. White's home. After a two-day investigation, the police searched the home and located marijuana, cocaine, Xanax, and Adderall.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. White may pose a threat to the health, safety, and welfare of students who 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. White'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. White 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 (2016). Just cause includes unprofessional conduct, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). In accordance with S.C. Code Ann. § 1-23-370(c) (2016), "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 (2016) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. White's unprofessional conduct and evident unfitness for the position for which employed due to his felony arrest for possession with intent to distribute cocaine, S.C. Code Ann. §44-53-370(b)(1) (2017) and possession with intent to distribute marijuana, S.C. Code Ann. §44-53-

370(b)(2) (2017). there is reason to believe Mr. White may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of Floyd Edmund White, educator certificate 257924, 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. White of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: Sharon Wall

Sharon Wall, Ed.D., Chair

Columbia, South Carolina
December 7, 2018