

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Dawn Marie Diimmler,)
Educator Certificate 182862)
_____)

ORDER OF

SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on February 27, 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 Dawn Marie Diimmler, educator certificate 182862, as a result of her arrest for the felony charge of Sexual Battery with a Student, S.C. Code Ann. §16-3-755 (D) (2017).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Diimmler may pose a threat to the health, safety, and welfare of students, who may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Diimmler'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 Ms. Diimmler of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Diimmler holds a professional South Carolina educator certificate and has over twenty-two years of teaching experience. Ms. Diimmler was employed by Lexington County School District Two (District) and served as an assistant principal at Airport High School (School). On January 29, 2018, the District placed Ms. Diimmler on administrative leave following an investigation into allegations of inappropriate interactions with students. She was subsequently terminated from the District during a District Board meeting on February 12, 2018.

On February 25, 2018, the Cayce Department of Public Safety charged Ms. Diimmler with one felony count of Sexual Battery with a Student, S.C. Code Ann. §16-3-755 (D) (2017). It is alleged Ms. Diimmler engaged in a sexual relationship with a nineteen year old student. She is further alleged to have engaged in the sexual relationship at least twice on School property. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Ms. Diimmler may pose a threat to the health, safety, and welfare of students who may be under her instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Diimmler'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 Ms. Diimmler of the summary suspension, as well as the possible suspension or revocation of her 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, immorality, any conduct involving moral turpitude, 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 Ms. Diimmler's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for the position for which employed due to her felony arrest for Sexual Battery with a Student, S.C. Code Ann. §16-3-755 (D) (2017), there is reason to believe Ms. Diimmler may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of Dawn Marie Diimmler, educator certificate 182862, 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 Ms. Diimmler of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

By: Sharon Wall
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
February 27, 2018