

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the	)	
	)	
Educator Certificate of	)	CONSENT ORDER OF
	)	SUSPENSION
John K. Sims	)	
	)	
<u>Educator Certificate 227565</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 13, 2018. On January 29, 2016, the South Carolina Department of Education (SCDE) sent notice via regular and certified mail, return receipt requested, to John K. Sims concerning the pending action against his educator certificate 227565. After Mr. Sims received the notice, his attorney contacted the SCDE to request a hearing and to discuss an alternative resolution. Prior to the scheduling of a hearing in this matter, Mr. Sims agreed to waive his right to a hearing and enter into this Consent Order of Suspension of his educator certificate 227565 for a period of one year. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Mr. Sims' educator certificate for a period of one year commencing on July 1, 2017, and ending on June 30, 2018.

John K.
Sims
227565

Initial
JS
Date

2-15-18

FINDINGS OF FACT

John K. Sims holds a valid South Carolina professional educator certificate. Mr. Sims has over twelve years of educator experience and has no prior record of disciplinary action with the State Board.

Mr. Sims was employed by the Chesterfield County School District (District) as an English teacher at Long Middle School (School). On December 9, 2015, the District placed Mr. Sims on administrative leave during an investigation into allegations that he sent inappropriate and sexually suggestive electronic messages to a student. On December 11, 2015, the District accepted Mr. Sims' resignation, effective January 5, 2016, in a settlement agreement negotiated by and through his attorney. On December 14, 2015, the District reported Mr. Sims' unprofessional conduct to the SCDE. Mr. Sims has not been teaching in public school since the effective date of his resignation.

While Mr. Sims denies the allegations, he agrees that the evidence presented would likely result in a finding of unprofessional conduct by the SCDE.

On January 29, 2016, the SCDE sent notice to Mr. Sims informing him that the State Board would meet to make a determination regarding the possible suspension of his educator certificate by regular and certified mail, return receipt requested. Mr. Sims' attorney contacted the SCDE to discuss an alternate resolution of this matter and preserved his client's right to a hearing. Mr. Sims has since agreed to waive his right to a hearing and to resolve this disciplinary matter by entering into this Consent Order of Suspension of his South Carolina educator certificate 227565 for a period of one year. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Mr. Sims' educator certificate for a period of one year commencing on July 1, 2017, and ending on June 30, 2018.

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 (Rev. 2004); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Regs. 43-58 (2016). The State Board finds that the evidence presented demonstrates that Mr. Sims engaged in unprofessional conduct by participating in inappropriate electronic messaging with a student of the District. The State Board further finds that just cause exists for the suspension of Mr. Sims' educator certificate for a period of one year, commencing on July 1, 2017, and ending on June 30, 2018.

Now, therefore, it is hereby ordered that the educator certificate of John K. Sims, certificate 227565, is suspended for a period of one year commencing on July 1, 2017, and ending on June 30, 2018.

If Mr. Sims wishes to have his certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. Mr. Sims shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Sims' educator certificate shall be reported to

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SHS

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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: 
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
March 13, 2018

I, John K. Sims, SC Educator Certificate 227565, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board for approval on March 13, 2018.


John K. Sims

2-15-18
Date