

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
William Avery Moulton-Fowler,)
Educator Certificate 281588)
_____)

ORDER OF

SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on May 8, 2018. In accordance with S.C. Code Ann. § 1-23-370(c) (2017), § 59-5-10 (2017), 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 William Avery Moulton-Fowler, educator certificate 281588, as a result of his arrest on the charge of two felony counts of third degree sexual exploitation of a minor, S.C. Code Ann. §16-15-410 (2017).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Moulton-Fowler 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. Moulton-Fowler'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. Moulton-Fowler of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Moulton-Fowler holds a professional South Carolina educator certificate and has two years of teaching experience. Mr. Moulton-Fowler was the director of education for the Williamston Youth Academy (School). Mr. Moulton-Fowler was terminated by the School after his arrest.

On or about March 26, 2018, the Greenville County Sheriff's Office charged Mr. Moulton-Fowler with two felony counts of third degree sexual exploitation of a minor, S.C. Code Ann. §16-15-410 (2017). The South Carolina Department of Social Services informed local law enforcement of allegations against Mr. Moulton-Fowler. During the subsequent investigation, law enforcement located pornographic video content involving children. The videos were allegedly on Mr. Moulton-Fowler's phone.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Moulton-Fowler 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 Mr. Moulton-Fowler'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. Moulton-Fowler 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 (2017). 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 (2017); 24 S.C. Code Ann. Regs. 43-58 (2017). In accordance with S.C. Code Ann. § 1-23-370(c) (2017), "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 (2017) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Moulton-Fowler's unprofessional conduct, crime against the law of this State, and evident unfitness for the position for which employed due to his felony arrest for sexual exploitation of a minor, there is reason to believe Mr. Moulton-Fowler may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of William Avery Moulton-Fowler educator certificate 281588 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. Moulton-

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Fowler 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
May 8, 2018