

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Chance Christopher Cole
Certificate 249442

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered the matter on January 14, 2020. On October 31, 2019, and December 5, 2019, the South Carolina Department of Education (SCDE) sent notice letters to Chance Christopher Cole informing him that the State Board would meet to make a determination regarding the possible disciplinary action of his educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Cole received the notice, as evidenced by postal tracking. He has not requested a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Cole's educator certificate for a period of one year, commencing on January 14, 2020, and ending on January 13, 2021. Mr. Cole is further instructed to complete a SCDE approved addictions counseling program prior to the reinstatement of his certificate.

FINDINGS OF FACT

Mr. Cole holds a valid South Carolina educator certificate and has over five years of educator experience. At the time of the incident, the Charleston County School District (District) employed Mr. Cole in a number of positions. Most relevant to the current issue was his position as an activity bus driver for the District.

On October 24, 2018, the District notified Mr. Cole that he had been chosen as a part of a random drug screening of activity bus drivers. The District was performing the screening to remain in compliance with certain federal regulations, and Mr. Cole was one of eight randomly selected drivers. Mr. Cole signed receipt of the notice and reported for the drug screen the same

day. The District received the results of the drug screen on November 2, 2018. Mr. Cole tested positive for cocaine and prescription opiates.

On November 26, 2018, Mr. Cole was recommended for termination by the District Superintendent. Mr. Cole appealed the decision. After a hearing, the District Board of Trustees upheld the recommendation for termination in an order dated March 20, 2019. On July 2, 2019, the District informed the SCDE about Mr. Cole's termination and the failed drug test. The SCDE notified Mr. Cole of the pending action against his educator certificate on October 31, 2019, and on December 5, 2019. Mr. Cole has received the notice, has not requested a hearing, and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Cole's educator certificate for a period of one year, commencing on January 14, 2020, and ending on January 13, 2021. Mr. Cole is further instructed to complete a SCDE approved addictions counseling program prior to the reinstatement of his certificate.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016). The State Board finds that the evidence presented demonstrates that Mr. Cole engaged in unprofessional conduct through failure to pass an employer's drug test.

Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Chance Christopher Cole, Educator Certificate 249442, for a period of one year, commencing on January 14, 2020, and ending on January 13, 2021.

If Mr. Cole wishes to have his educator certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator Services and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Cole shall submit documentation for the completion of a SCDE approved addictions counseling program

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prior to reinstatement. He shall be responsible for the payment of any applicable reinstatement fees. The suspension of Mr. Cole's Educator Certificate 249442 shall be reported to 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: s/Michael Brennan
Michael Brennan, Chair

Columbia, South Carolina
January 14, 2020