

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Cole Lee
Certificate 906141

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 9, 2022. On June 28, 2022, the South Carolina Department of Education (SCDE) sent Cole Lee a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. Under the South Carolina Rules of Civil Procedure 5(b), Cole Lee has been given fair notice of constitutional due process. Mr. Lee contacted the SCDE on July 20, 2022 stating he wished to waive his right to a hearing in this matter and accept the disciplinary action deemed necessary.

After considering the evidence presented, the State Board voted to suspend Mr. Lee's educator certificate for a period of one year, commencing on August 9, 2022, and ending on August 8, 2023.

FINDINGS OF FACT

Mr. Lee holds a valid South Carolina professional educator certificate. Mr. Lee has over one year of educator experience and has no prior record of disciplinary action with the State Board. At the time of the incident, Mr. Lee was employed by School District Five of Lexington and Richland Counties (District) as an assistant athletic trainer at Chapin High School (School).

On August 23, 2021, Mr. Lee used a Gator utility vehicle to transport a student that was unable to walk at that time. Mr. Lee was driving the vehicle on school grounds, around and on student walkways. As the path crossed a walkway containing several students, Mr. Lee hit one student with the vehicle. At the time of impact, Mr. Lee reversed the vehicle to remove the tire from the student's leg. After the student stood up, Mr. Lee continued to his original destination in the vehicle. He did not leave the vehicle to check on the student or report the incident to administration.

That afternoon, the student informed his mother of the incident and sent her a picture of his injured ankle. The picture showed a deep scrape breaking the student's skin. The student's mother further noted that the ankle was swollen and sore. He was scheduled to be seen by his doctor the following day, and the mother reported the incident to School administration. When asked about the incident, Mr. Lee did not deny hitting the student but stated he believed the student was okay.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Mr. Lee's educator certificate 906141 for a period of one year, commencing on August 9, 2022, and ending on August 8, 2023.

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 Daniel Reyes engaged in unprofessional conduct by failing to assist the student or report the incident. The State Board further finds that just cause exists for the suspension of Mr. Lee's educator certificate 906141 for a period of one year, commencing on August 9, 2022, and ending on August 8, 2023.

Now, therefore, it is hereby ordered that the educator certificate of Cole Lee educator certificate 906141, is suspended for a period of one year, commencing on August 9, 2022, and ending on August 8, 2023.

If Mr. Lee wishes to have the 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. Lee 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. Lee's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Alan Walters
Alan Walters, Chair

Columbia, South Carolina
August 9, 2022