

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Douglas Alexander Barth
Certificate 262826

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 11, 2023. On February 2, 2023, the South Carolina Department of Education (SCDE) sent Douglas Alexander Barth a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. Mr. Barth received the notice on February 9, 2023, as evidenced by signed postal receipt. He has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Barth's educator certificate for a period of two years, commencing on April 11, 2023, and ending on April 10, 2025. Mr. Barth is also required to complete the NASDTEC Prevention and Correction course prior to his reinstatement.

FINDINGS OF FACT

Mr. Barth holds a valid South Carolina professional educator certificate and has over 21 years of educator experience. He has no prior record of disciplinary action with the State Board. Mr. Barth was employed as a science teacher at Ware Shoals Elementary/Middle School with Ware Shoals School District 51 (District).

On March 17, 2021, the District sent an email to all teachers asking them to refrain from gaming and other streaming activities during school hours to help prevent deteriorating bandwidth that was meant for educational purposes. A second email was sent to Mr. Barth on May 4, 2021, with a screenshot of a game running on his computer during 1st period, and asked him to stop online gaming during the school day. A following screenshot of the online game was taken during 3rd period on May 12, 2021.

On May 19, 2021, another staff member reported that Mr. Barth violated testing instructions by taking his class to recess while the building was under testing restrictions. This

staff member also reported hearing Mr. Barth discuss allegations of using a racial slur towards a student. He informed his class he never used the term, but discussed the incident in detail and revealed the name of the student involved to his classroom. Another staff member reported several students complained Mr. Barth told female students that they were “hot.” It was further alleged that during an e-learning day, Mr. Barth had used a detailed nude photo of a woman. When the students pointed out that Mr. Barth shared the image and asked him to take it down, he told them they would need to learn about it sometime. Other students were also able to take screenshot photos of Mr. Barth in his bed sleeping during e-learning.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Mr. Barth’s educator certificate 262826 for a period of two years, commencing on April 11, 2023, and ending on April 10, 2025. Mr. Barth is also required to complete the NASDTEC Prevention and Correction course prior to his reinstatement.

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 (2020); S.C. Code Ann. § 59-25-160 (2020). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). The State Board finds that the evidence presented demonstrates that Mr. Barth engaged in unprofessional conduct by violating the District’s Internet Acceptable Use Policy, disclosing information concerning a student to persons not authorized to receive such information, and using inappropriate language towards and in front of students. The State Board further finds that just cause exists for the suspension of Mr. Barth’s educator certificate 262826 for a period of two years, commencing on April 11, 2023, and ending on April 10, 2025.

Now, therefore, it is hereby ordered that the educator certificate of Douglas Alexander Barth, educator certificate 262826, is suspended for a period of two years, commencing on April 11, 2023, and ending on April 10, 2025. Mr. Barth is also required to complete the NASDTEC Prevention and Correction course prior to his reinstatement.

If Mr. Barth 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. Barth

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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. Barth'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.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Crystal F. Stapleton, Ed.D.

Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina

April 11, 2023