

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
James Orwa Ojwang
Certificate 286518

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on June 21, 2023. In accordance with S.C. Code Ann. § 1-23-370(c) (2020), § 59-5-10 (2020), 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 James Orwa Ojwang, educator certificate 286518, as a result of his arrest for sexual battery with a student, S.C. Code Ann. § 16-3-755(B).

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

FINDINGS OF FACT

Mr. Ojwang holds a South Carolina educator certificate and has over nineteen years of educator experience. At the time of the incident, Mr. Ojwang was employed with Richland County School District Two (District).

On September 23, 2022, the District reported that Mr. Ojwang had resigned in lieu of termination due to allegations of inappropriate conduct with a student. On June 20, 2023, the SCDE received confirmation that Mr. Ojwang was arrested after he resigned from the District, on or about October 12, 2022. Mr. Ojwang was arrested for sexual battery with a student, S.C. Code

Ann. § 16-3-755(B). It is alleged that Mr. Ojwang knowingly and inappropriately fondled the breast of a student. The student immediately reported the incident to school authorities.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Ojwang 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. Ojwang 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. Ojwang 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 (2020); S.C. Code Ann. § 59-25-160 (2020). Just cause includes unprofessional conduct, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). In accordance with S.C. Code Ann. § 1-23-370(c) (2020), “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 (2020) and State Board Rule of Governance BBABA, the Chair of the State Board finds that, as a result of the allegations of Mr. Ojwang’s unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, due to his arrest for sexual battery with a student, S.C. Code Ann. § 16-3-755(B), there is reason to believe Mr. Ojwang may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of James Orwa Ojwang, certificate number 286518, 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. Ojwang of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

James Orwa Ojwang, Certificate 286518
ORDER OF SUMMARY SUSPENSION
June 21, 2023
Page 3

AND IT IS SO ORDERED.

South Carolina Board of Education

s/Crystal F. Stapleton, Ed.D.
Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina
June 21, 2023