

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
David A. Anastasia
Certificate 219504

CONSENT ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on March 14, 2023. On September 1, 2021, the South Carolina Department of Education (SCDE) sent David A. Anastasia a notice via regular and certified mail, return receipt requested, regarding the possible suspension of his South Carolina educator certificate 219504. Mr. Anastasia timely requested a hearing on the matter. After Mr. Anastasia received the notice, he contacted the SCDE to request a hearing. Prior to the hearing, Mr. Anastasia's legal counsel contacted the SCDE to discuss an alternate resolution. Mr. Anastasia has agreed to waive his right to a hearing and enter into this Consent Order of Suspension of the administrative area of educator certificate 219504 for a period of one year. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Mr. Anastasia's administrative certificate for a period of one year, commencing on March 14, 2023 and ending March 13, 2024.

FINDINGS OF FACT

Mr. Anastasia holds a South Carolina educator certificate. He has over fifteen years of educator experience and has no prior record of disciplinary action with the State Board. At the time of the incident, Mr. Anastasia was employed by the Barnwell School District 45 (District) as a teacher, athletic director, and interim assistant principal at Barnwell High School (School).

On November 20, 2019, Mr. Anastasia resigned his employment following allegations he engaged in inappropriate conduct. Specifically, it was alleged that Mr.

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s/DA
Initial
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Anastasia engaged in a romantic relationship with another adult on school grounds. After meeting with School and District administrators regarding the allegations, Mr. Anastasia made the decision to resign his employment for personal reasons.

After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of David A. Anastasia's administrative certificate 219504 for a period of one year, commencing on March 14, 2023, and ending on March 13, 2024.

CONCLUSIONS OF LAW

"The State Board 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 "incompetence; willful neglect of duty; willful violation of the rules and regulations of the State Board of Education; unprofessional conduct; drunkenness; cruelty; crime against the law of this State or the United States; immorality; any conduct involving moral turpitude; dishonesty; evident unfitness for position for which employed; or sale or possession of narcotics." S.C. Code Ann. § 59-25-160 (2020); S.C. Code Ann. Regs. 43-58 (2021). The State Board finds that the evidence presented demonstrates that Mr. Anastasia engaged in unprofessional conduct due to engaging in inappropriate conduct on school grounds. The State Board further finds that just cause exists for the suspension of Mr. Anastasia's administrative certificate for a period of one year, commencing on March 14, 2023 and ending on March 13, 2024.

If Mr. Anastasia wishes to have his administrative 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. Anastasia 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. Anastasia's administrative certificate 219504 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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s/DA
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Now, therefore, it is hereby ordered that the administrative certificate of David A. Anastasia, certificate 219504, is suspended for a period of one year, commencing on March 14, 2023, and ending on March 13, 2024.

AND IT IS SO ORDERED.

South Carolina Board of Education

s/David O'Shield, Ph.D.
David O'Shields, Chair-Elect

Columbia, South Carolina
March 14, 2023

I, David A. Anastasia, SC Educator Certificate 219504, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack, or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State board for approval on March 14, 2023. I understand this Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter. If approved by the State Board, I have the SCDE permission to use my electronic signature in the style of "s/name" for required website publication.

s/David A. Anastasia
David A. Anastasia

3/3/23
Date

David A. Anastasia
219504
s/DA
Initial
3/3/23
Date