

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Michael Norman Oerther
Certificate 200883

ORDER OF PERMANENT REVOCATION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on September 12, 2023. On May 31, 2023, the South Carolina Department of Education (SCDE) sent Michael Norman Oerther a notice via regular and certified mail of his right to a hearing regarding the possible permanent revocation of his South Carolina educator certificate. Mr. Oerther received the notice on June 12, 2023, as evidenced by a signed postal receipt. He has not contacted the SCDE to request a hearing and is now in default. On August 16, 2023, the SCDE informed Mr. Oerther via regular mail that the State Board would meet on September 12, 2023, to consider action against his educator certification.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Oerther's educator certificate 200883, effective September 12, 2023.

FINDINGS OF FACT

Mr. Oerther holds a suspended South Carolina educator certificate and has over twenty-four years of teaching experience. At the time of the incident, Mr. Oerther was a math teacher at Ocean Bay Middle School with the Horry County School District (District). He subsequently resigned from the District.

On October 27, 2021, the SCDE learned that Mr. Oerther was charged with felony driving under the influence. On November 3, 2021, Mr. Oerther's educator certificate 200883, was summarily suspended due to this felony charge. It was alleged that Mr. Oerther was in a vehicle accident that resulted in fatal injuries for a passenger in the other vehicle. On May 23, 2023, Mr. Oerther pled guilty to reckless homicide, in violation of S.C. Code Ann. § 56-5-2910. He was sentenced to 8 years in prison.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Oerther's educator certificate 200883, effective September 12, 2023.

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). Just cause includes "unprofessional conduct, crime against the law of this State or the United State, evident unfitness for position for which employed, and sale or possession of narcotics." S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Ann. Regs. 43-58 (2016). The State Board finds that Mr. Oerther engaged in unprofessional conduct and a crime against the law of this State or the United States due to conviction on May 23, 2023, for reckless homicide.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke education certificate 200883, issued in the name of Michael Norman Oerther, effective September 12, 2023. The permanent revocation of Mr. Oerther's educator certificate 200883 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 Board of Education

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

Columbia, South Carolina
September 12, 2023